

# CONSERVATION COMMISSION MINUTES

Date: Thursday, May 4, 2023

Time: 7:00 pm

Place: This meeting was held as a virtual meeting via Zoom.

**With a quorum present**, the meeting opened at 7:02 pm with Dan Green presiding as Chair.

**Members Present:** Dan Green (Chair), Susan Lunin (Vice-Chair), Leigh Gilligan, Kathy Cade, Ellen Katz, Sonya McKnight (Associate Member) left the meeting early, Judy Hepburn joined (7:30); Jeff Zabel joined at 8:00, Judy Hepburn joined at 7:30.

**Members Absent:** none

**Staff present:** Jennifer Steel, Ellen Menounos

**Members of the Public:** not recorded due to remote nature of the meeting

## DECISIONS

### A. WETLANDS DECISIONS

#### 1. (7:00) Webster Conservation Area – Consensus Decision -- Eagle Scout Candidate Nathan Kessler's boardwalk proposal

- Owner. Newton Conservation Commission
- Applicant. Nathan Kessler, Eagle Scout candidate, Troop 182
- Representatives. Nathan Kessler
- Proposed Project Summary. Replace "corduroy" trail with proper raised plank "bog bridge".
- Request. Provide permission for Nathan to lead an Eagle Scout workday to install the raised plank boardwalk on Conservation land and within wetland jurisdiction.
- Documents in packets. none
- Additional documents presented at meeting. Scout's PowerPoint presentation
- Jurisdiction. RFA, Flood Zone, Buffer Zone to Bank
- Performance Standards. Work qualifies under the Conservation Commission's Generic Trail Maintenance OOC as not needing a separate Order of Conditions.  
"Section II. Work which requires notification to and Administrative Approval by the Commission or Conservation Office, but which may not require a separate new Notice of Intent filing."
  2. Installing boardwalks, stepping stones, and bog bridges"
- Presentation (Nathan Kessler) and Discussion.
  - Nathan Kessler ran through an illustrated presentation summarizing his proposal is to improve a short section of trail that has been in heavy use for decades.
  - There is a wooden bridge across the stream, but on the southern side of the stream periodically muddy conditions have caused hikers to create a wide swath of "corduroy" and stepping stones to allow them to keep their feet clean and dry.
  - Installation of a 20-24 foot section of 3-foot wide bog bridge will focus foot traffic on a narrower path and allow the disturbed area to renaturalize and revegetate.
  - The use of corrugated pipe as footings for the bog bridge will result in minimal fill in flood zone and will allow the passage of flood waters.
  - Removing all the "corduroy" logs that have been placed in the area and scattering them in upland areas, will provide excess compensatory flood storage capacity.
  - Nathan hopes to hold his workday on the weekend of June 10.
  - He will continue to work with staff to refine the design.
  - The Commission congratulated Nathan on his succinct and clear presentation and thanked him for his efforts.
- Vote to agree that the proposed work qualifies under the Conservation Commission's Generic Trail Maintenance OOC as not needing a separate Order of Conditions and to approve the Scout's proposal to undertake work on Conservation land. [Motion: Lunin, Second: Cade, Roll-call vote: Green (aye), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye). Vote: 5:0:0.]

#### 2. (7:25) 39 Verndale Road – RDA – Deck and stair replacements on a single-family home

- Owner/Applicant. Darlene Dartt, owner; Louis Pavao, contractor



**Mayor**  
Ruthanne Fuller

**Director  
Planning &  
Development**  
Barney Heath

**Chief  
Environmental  
Planner**  
Jennifer Steel

**Assistant  
Environmental  
Planner**  
Ellen Menounos

**Conservation  
Commission  
Members**  
Kathy Cade  
Dan Green  
Judy Hepburn  
Ellen Katz  
Susan Lunin  
Jeff Zabel  
Leigh Gilligan

**Associate  
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Sonya McKnight

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- Representatives. None
- Proposed Project Summary. Replace deck/stair, construct covered porch in place of open deck, remove covered porch, minor soil removal to enhance access to basement.
- Request. Issue a DOA.
- Documents in packets. Highlighted site plan
- Additional documents presented at meeting. Locus map, site photos, architect's sketch
- Jurisdiction. Bordering Land Subject to Flooding
- Presentation (Staff) and Discussion.
  - Staff presented site plans and site photos.
  - Staff noted that the proposed modifications are modest, the amount of new "fill" (in the form of posts, and the bottom stairs) is minimal, and the "cuts" are significant resulting in significant provision of new flood storage capacity on site. Some of the "cuts" (removal of structures) were recently undertaken (a covered porch, stairs and landings were removed) and more cuts are proposed (a significant amount of fill will be removed to create a depressed access way to the basement door).
- Vote to issue the following. [Motion: Gilligan, Second: Cade, Roll-call vote: Green (aye), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye). Vote: 5:0:0.]
  - a Negative 2 ("The work described in the Request is within an area subject to jurisdiction under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent") and
  - a Negative 6 determination ("The area and/or work described in the Request is not subject to additional review and approval by Newton pursuant to a municipal wetlands' ordinance or bylaw)
  - with the condition that the decks and stairs may not be enclosed (per the Commission's policy).

### **3. (7:45) 435 Albemarle Rd – NOI – tear-down SFH/rebuild duplex – DEP #239-954**

- Owner/Applicant. The McCarthy Family Trust/Northeast Venture Group (David Sohn)
- Representatives. Scott Morrison and John Rockwood, Eco-Tec; Joe Porter, Engineer
- Proposed Project Summary. Demolish single-family house and site features, construct two-family house with site features
- Request. Issue an OOC
- Documents in packets. Highlighted site plan, planting plan
- Additional documents presented at meeting. Locus map, site photos
- Jurisdiction. Riverfront Area
- Presentation (Staff) and Discussion.
  - Staff presented site plans and site photos illustrating the following information.
  - Existing conditions
    - Cheese Cake Brook is across the street, behind a chain link fence, and in a walled channel.
    - The entirety of the site is within Riverfront Area.
    - There is 1 single-family house with a front porch, paved driveway, front walk and stairs, side concrete landing, and rear wooden steps and landing.
    - There are 2 multi-stem deciduous trees and 1 one Norway spruce occur within the lawn to the rear of the house.
  - Proposed conditions
    - 1 two-family house with 2 one-car garages; 2 paved driveways; 2 front entry porches with stairs and walks; 2 rear decks, steps, and paver patios; 2 bulkheads; 2 segments of retaining wall; lawn and landscaping.
    - The proposed house is as close to Albemarle Road as possible to limit driveway area and maximize a contiguous mitigation planting area within the Riverfront Area. The structure is no closer to the stream than existing conditions.
    - Driveway and roof runoff will be managed via trench drains and infiltration systems
    - 1 street tree (sapling) will be relocated or replaced
    - Mitigation planting area:
      - 13 native saplings (of five species of both canopy and understory species)
      - 74 4-5' tall shrubs (of seven species of evergreen and deciduous), and
      - 36 2-3' tall shrubs (evergreen and deciduous) in three pockets within the enhancement planting area.
  - Staff noted that site development/degradation would be offset by mitigation:
    - Development: The 2 multi-stem trees are proposed to be removed (36 caliper inches). One tree is definitely ailing.
    - Development: The degraded area will go from 1,505 sf (existing) to 2,580 sf (proposed) – an increase of 1,075 sf.
    - Mitigation: Is proposed to be:

- A 2,150 (2,200?) sf bounded planting area -- exactly 2:1 in area and tree caliper inches replaced 1:1 – 26% of the site.
- Stormwater management for roofs and driveways
- Commissioners stated:
  - That on balance the project would results in an improvement over existing conditions (natural area vs lawn)
  - That they would like to see future projects propose mitigation and enhancement of the stream corridor itself (with the understanding that off-site efforts are legally challenging).
- Vote to close the hearing and issue an Order of Conditions with the following special conditions. [Motion: Gilligan, Second: Katz, Roll-call vote: Green (aye), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye), Hepburn (abs). Vote: 5:0:1.]
  21. The applicant must schedule and attend a pre-construction site visit with the applicant, construction supervisor and Conservation agent, to review and provide the following.
    - a. A signed Certificate of Understanding (attached to the Order of Conditions cover letter).
    - b. Contact information (for working and non-working hours) for those responsible for site compliance.
    - c. The anticipated timeline.
    - d. Proof of Recording the Order (Note: the proof of recording must be submitted to the Conservation Office through the City's online permitting system.)
    - e. DEP File number sign (minimum size 2'x2', clearly visible from the street)
    - f. Sedimentation/erosion controls (properly installed in the correct locations)
    - g. Protection of all trees and shrubs that are due to remain within the limit of work and as necessary outside the limit of work. This may include orange snow fence installed at the dripline, mulch and plywood sheets over the roots, and/or boards tied to the trunk.
  22. If/as needed, a dewatering plan designed to limit and control any adverse impact on the wetlands resource area(s) must be presented to the Conservation Commission for review and approval.
  23. To ensure broad understanding of and compliance with this Order, the applicant must:
    - a. Ensure that a copy of the approved plans and Order of Conditions is always on-site and available.
    - b. Ensure that all personnel performing the permitted work are aware of the permit's terms and conditions.
    - c. Include this document in all contracts, subcontracts, and specifications associated with the proposed work. Thereafter, the contractor will be held jointly liable for any violation of this Order.
  24. Riverfront Area Mitigation / Buffer Zone and Flood Zone mitigation/enhancement planting area(s) must:
    - a. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance)
    - b. Be installed in such a manner as to replicate to the maximum extent practical a diverse ecological system, provide habitat for native species. Plants must be installed just below grade (not in elevated mounds) to maximize water retention and result in natural grades.
    - c. Be installed under the direction of a qualified wetland consultant to ensure proper installation, proper placement, and appropriate and even filling of the entire mitigation area.
    - d. Include 13 native trees, 12 of which are well-established and thriving after 2 growing seasons
    - e. Include 74 tall native shrubs, 80% of which are well-established and thriving after 2 growing seasons
    - f. Include 36 shorter native shrubs, 80% of which are well-established and thriving after 2 growing seasons
    - g. Include organic leaf-litter mulch (NOTE: Bark mulch is not to be used) to minimize erosion and aggressive weed growth but shall not impede spread of groundcover. Mulch applications shall diminish over time and eventually cease as ground cover species and shrubs spread.
    - h. Stabilize all disturbed areas.
    - i. Be bounded, as shown on the plans, with bounds that: (1) are 4"x4"x36" stone or concrete post, (2) have instructive language regarding the required protection, (3) have at least 6" maintained above grade, and (4) are placed at every boundary corner and never more than 20 feet apart.
    - j. Be maintained in such a manner as to replicate to the maximum extent practical a diverse ecological system and provide habitat for native species.
    - k. Be managed to control/minimize invasive species for the life of this permit. If herbicides are use, manufacturer's recommended directions must be followed.
    - l. Be maintained, in perpetuity, in its effectively natural condition.
  25. If any trees intended to be protected within the project area die within 2 years of the start of construction as a result of the construction or have been demonstrably harmed by construction activities, they shall be replaced at a ratio of 2:1 with native canopy saplings (of roughly 2 caliper inches).

26. No Certificate of Occupancy shall be approved by Conservation without written approval from the Conservation Office or a Certificate of Compliance.
27. The applicant must apply for a Certificate of Compliance in accordance with DEP Condition #12, by submitting:
  - a. A completed “Request for Certificate of Compliance (WPA Form 8A).”
  - b. An as-built plan signed and stamped by a professional engineer and/or land surveyor registered in Massachusetts. This plan must include all structures, hardscape, grading (topography), mature trees, landscape features and plantings.
  - c. A written statement from a Professional Engineer registered in Massachusetts certifying that the work has been completed in substantial compliance with this Order of Conditions and the approved plans referenced herein (or approved revisions). If the completed work differs from that in the approved plans and conditions, the report must specify how the project differs.
  - d. As-built plan and letter from a landscaper certifying compliance with the approved planting scheme.
28. To protect the water quality of area wetlands, fertilizers shall be of low-nitrogen content and be used in moderation
29. To protect the full suite of benefits of area wetlands, wildlife, and native insects and pollinators, no pesticides shall be used.
30. To protect wetland wildlife, exterior lighting shall:
  - a. be “dark sky” compliant -- i.e., shielded to prevent any “up lighting” and “backlighting”, focused, and directed so as not to illuminate any part of the wetland.
  - b. have limited blue content to decrease skyglow and disruption of diurnal animals
  - c. be switched off when not in active use
31. The required Riverfront Area mitigation planting area shall be maintained in perpetuity in its predominantly natural condition so as to replicate to the maximum extent practical a diverse ecological system and provide habitat for native species as per 310 CMR 10.58, and shall remain bounded with the bounds exposed at least 6 inches.

**4. (8:20) 176 Dedham Street – NOI – perimeter fence – DEP #239-953**

- Owner/Applicant. Kaitlin Spiegel
- Representatives. Self
- Proposed Project Summary.
  - Install a 6-foot-tall shadowbox-style privacy fence around most of the main/house portion of the property to contain a dog.
  - The sewage easement will have an 8 foot double gate to allow for utility maintenance as needed.
  - To mitigate the volume of fill in the flood zone, the applicant proposed to clear the deadfall and brush at the lowest point (southeastern border), along the eastern property border, and in lot B (wooded area). If more removal is required, she offered to clear out the ivy and deadfall in her lot 2A.
- Request. Issue an OOC
- Documents in packets. Highlighted site plan, fence design, compensatory storage proposal narrative.
- Additional documents presented at meeting. Site photos
- Jurisdiction. Bordering Land Subject to Flooding
- Presentation (Staff) and Discussion.
  - Staff showed the plans, site photos, and cut and fill calculations developed by the applicant and by staff. Staff calculated that roughly 5 cubic yards of material would need to be removed to compensate for the fence materials brought in.
  - Discussion ensued about how to accomplish a cut. Many options were discussed including: limiting the extent of fencing, changing the design of the fence, removing cinder blocks, digging to create a “rain garden”, and lowering the grade of the lawn. There is relatively little dead-fall to be removed where the fence is proposed and removing all deadfall could reduce wildlife habitat.
- Consensus. The owner will work with staff to finalize cut and fill calculations and develop a plan for compensatory storage.
- Vote. To continue the hearing to May 25. [Motion: Lunin, Second: Cade, Roll-call vote: Green (aye), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye), Zabel (aye), Hepburn (aye). Vote: 7:0:0.]

**5. (8:50) 370 Quinobequin Rd – continued NOI – First and second floor additions and new deck – DEP #239-948**

- Owner/Applicant. Seth Kosto
- Representatives. Mitch Maslanka, Goddard Consulting; Bruce Bradford from Everett M Brooks
- Proposed Project Summary.
  - First floor addition over existing rear deck
  - Second floor addition over existing house
  - New deck off rear of house

- Request. Issue OOC.
- Documents in packets. Locus map, highlighted plans.
- Additional documents presented at meeting. Site photos.
- Jurisdiction. BLSF, Buffer Zone, BVW (no work planned), RFA (no work planned)
- Presentation (Staff) and Discussion.
  - The hockey rink has been removed from the adjacent parcel/Conservation Restriction area.
  - Revised plans were received.
    - A revised wetland line (based on soils) was agreed upon in the field by City staff and the applicant's representative.
    - The floodplain line is now correctly shown on the plans at 65.5' NAVD88.
    - Staff concur that the house is elevated above the 100-year flood elevation.
    - Restoration plantings proposed in the off-site (Laura Estates) Conservation Restriction are: 3 canopy trees, 9 shrubs, and various seed mixes.
  - The applicant confirmed that there will be excavation for a basement under the addition.
  - Staff were concerned that the restoration area/property line is not proposed to be bounded and the proposed plantings do not delineate the shared boundary.
  - The current owner did not initiate the encroachment, but has maintained it for years.
  - There was discussion about whether there should be separate mitigation for the loss of the 37" oak associated with the proposed addition and deck. Commissioners felt that the restoration planting plan PLUS one additional oak on the owner's property along/near the rear property line would suffice as compensation for the loss of the 37" oak.
  - There was discussion about the need for permission to plant on the adjacent lot. The Commission determined that since it is the holder of the Conservation Restriction, it can grant permission for the owner of 370 Quinobequin to undertake restoration plantings. The Commission will then install medallions to mark the edge of the CR.
  - There was discussion about the need to maintain the restoration planting area during the life of this permit.
- Vote to close the hearing and issue an Order of Conditions with the following special conditions. [Motion: Gilligan, Second: Lunin, Roll-call vote: Green (aye), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye), Zabel (aye), Hepburn (aye). Vote: 7:0:0.]
  32. The applicant must schedule and attend a pre-construction site visit with the applicant, construction supervisor and Conservation agent, to review and provide the following.
    - a. A signed Certificate of Understanding (attached to the Order of Conditions cover letter).
    - b. Contact information (for working and non-working hours) for those responsible for site compliance.
    - c. The anticipated timeline.
    - d. Proof of Recording the Order (Note: the proof of recording must be submitted to the Conservation Office through the City's online permitting system.)
    - e. DEP File number sign (minimum size 2'x2', clearly visible from the street)
    - f. Sedimentation/erosion controls (properly installed in the correct locations)
    - g. Protection of all trees and shrubs that are due to remain within the limit of work and as necessary outside the limit of work. This may include orange snow fence installed at the dripline, mulch and plywood sheets over the roots, and/or boards tied to the trunk.
  33. If/as needed, a dewatering plan designed to limit and control any adverse impact on the wetlands resource area(s) must be presented to the Conservation Commission for review and approval.
  34. To ensure broad understanding of and compliance with this Order, the applicant must:
    - a. Ensure that a copy of the approved plans and Order of Conditions is always on-site and available.
    - b. Ensure that all personnel performing the permitted work are aware of the permit's terms and conditions.
    - c. Include this document in all contracts, subcontracts, and specifications associated with the proposed work. Thereafter, the contractor will be held jointly liable for any violation of this Order.
  35. Riverfront Area Mitigation planting area must:
    - a. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance)
    - b. Be installed in such a manner as to replicate to the maximum extent practical a diverse ecological system, provide habitat for native species. Plants must be installed just below grade (not in elevated mounds) to maximize water retention and result in natural grades.
    - c. Be installed under the direction of a qualified wetland consultant to ensure proper installation, proper placement, and appropriate and even filling of the entire mitigation area.
    - d. Include 13 native trees, 12 of which are well-established and thriving after 2 growing seasons.
    - e. Include 74 tall native shrubs, 80% of which are well-established and thriving after 2 growing seasons.
    - f. Include 36 shorter native shrubs, 80% of which are well-established and thriving after 2 growing seasons.

- g. Include organic leaf-litter mulch (NOTE: Bark mulch is not to be used) to minimize erosion and aggressive weed growth but shall not impede spread of groundcover. Mulch applications shall diminish over time and eventually cease as ground cover species and shrubs spread.
  - h. Stabilize all disturbed areas.
  - i. Be bounded, as shown on the plans, with bounds that: (1) are 4"x4"x36" stone or concrete post, (2) have instructive language regarding the required protection, (3) have at least 6" maintained above grade, and (4) are placed at every boundary corner and never more than 20 feet apart.
  - j. Be maintained in such a manner as to replicate to the maximum extent practical a diverse ecological system and provide habitat for native species.
  - k. Be managed to control/minimize invasive species for the life of this permit. If herbicides are use, manufacturer's recommended directions must be followed.
  - l. Be maintained, in perpetuity, in its effectively natural condition.
36. If any trees intended to be protected within the project area die within 2 years of the start of construction as a result of the construction or have been demonstrably harmed by construction activities, they shall be replaced at a ratio of 2:1 with native canopy saplings (of roughly 2 caliper inches).
37. Erosion controls:
- a. Erosion controls must be inspected and maintained during construction; any breach shall be remediated.
  - b. An adequate supply of extra erosion control materials shall be stored on-site.
  - c. City streets shall be kept clean and catch basins in the immediate area shall be protected from sediment.
  - d. Erosion control shall remain in place until the Conservation Office provides written authorization for removal.
38. The Applicant must inform the Commission of any violation of this Order and any other project related spill or accident that may impact wetland resource areas as soon as possible and at least by the end of the business day and must take appropriate action to mitigate impacts from such spill or accident.
39. "Good housekeeping practices" shall be implemented at all times, including:
- a. appropriate limits to stormwater discharges
  - b. appropriate stockpile area management
  - c. appropriate limits to vehicle refueling, washing, etc.
  - d. appropriate litter management
  - e. appropriate controls for tire tracking
40. No Certificate of Occupancy shall be approved by Conservation without written approval from the Conservation Office or a Certificate of Compliance.
41. The applicant must apply for a Certificate of Compliance in accordance with DEP Condition #12, by submitting:
- a. A completed "Request for Certificate of Compliance (WPA Form 8A)."
  - b. An as-built plan signed and stamped by a professional engineer and/or land surveyor registered in Massachusetts. This plan must include all structures, hardscape, grading (topography), mature trees, landscape features and plantings.
  - c. A written statement from a Professional Engineer registered in Massachusetts certifying that the work has been completed in substantial compliance with this Order of Conditions and the approved plans referenced herein (or approved revisions). If the completed work differs from that in the approved plans and conditions, the report must specify how the project differs.
  - d. As-built plan and letter from a landscaper certifying compliance with the approved planting scheme.
42. To protect the water quality of area wetlands, fertilizers shall be of low-nitrogen content and be used in moderation
43. To protect the full suite of benefits of area wetlands, wildlife, and native insects and pollinators, no pesticides shall be used.
44. To protect wetland wildlife, exterior lighting shall:
- a. be "dark sky" compliant -- i.e., shielded to prevent any "up lighting" and "backlighting", focused, and directed so as not to illuminate any part of the wetland.
  - b. have limited blue content to decrease skyglow and disruption of diurnal animals
  - c. be switched off when not in active use
45. The required Riverfront Area mitigation planting area shall be maintained in perpetuity in its predominantly natural condition so as to replicate to the maximum extent practical a diverse ecological system and provide habitat for native species as per 310 CMR 10.58, and shall remain bounded with the bounds exposed at least 6 inches.

**6. (9:15) 15 Riverdale – OOC extension – 40B development -- DEP #239-860**

- Owner/Applicant. Michael Price, owner; Jack Englert, developer
- Representatives. Megan Rothwell and Steve Buchbinder, attorneys; Melissa Mintz, Mintz Development Group

- Project Summary. Construct one large building (with a central open-air concourse). The original OOC is due to expire 6/6/23.
- Request. Extend OOC by 6 months.
- Documents in packets. None
- Additional documents presented at meeting. Site photos
- Jurisdiction. RFA, BLSF
- Staff Notes. The project has been unfolding according to plan, and the site is in good and stable shape.
- Vote to issue a 2-year OOC extension to June 6, 2025 to give plants (which have not yet been installed) the required two growing seasons to become well established. [Motion: Gilligan, Second: Zabel, Roll-call vote: Green (aye), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye), Zabel (aye), Hepburn (aye). Vote: 7:0:0.]

## **B. CONSERVATION AREA DECISIONS**

## **C. ADMINISTRATIVE DECISIONS**

### **7. Minutes to be approved**

- Documents in packets. Draft 4/11/2023 minutes.
- Vote to approve the 4/11/2023 minutes. [Motion: Gilligan, Second: Lunin, Roll-call vote: Green (abstain), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye), Zabel (aye), Hepburn (abstain). Vote: 5:0:2.]
- Volunteer. Leigh Gilligan volunteered to review the 5/4/2023 minutes.

## **D. ISSUES AROUND TOWN DECISIONS**

## **UPDATES**

## **E. WETLANDS UPDATES**

## **F. CONSERVATION AREA UPDATES**

- Steward Gathering on 4/25 – roughly 18 people joined a walk through Norumbega and many socialized after.
- Trailhead signs and maps for the website – getting closer.
- Newton Serves – Martin Poetry Path clean-up. [Note: Upper Falls Riverwalk gnome houses will not be installed this year.]
- Dolan Pond unsanctioned tree-mound removal – will be done by Parks and Rec in about 2 weeks.
- Community Way – 2 public meetings have occurred. Feasibility study is due in July.

## **G. ADMINISTRATIVE UPDATES**

- “Sunshine Law” reminders given by staff based on their attendance at a webinar by KP Law:
  - Open Meeting Law:
    - In a nutshell: All of the Commission’s business must be conducted in properly posted open meetings.
    - So any time a quorum exists either: (1) don’t discuss Commission business or (2) post the meeting.
    - Email exchanges (except for scheduling and presentation of materials) are group discussions, so don’t share thoughts, beliefs, concerns, or responses as “reply all” or serial messages. (Communicating with one other commissioner is ok unless that communication is forwarded.)
  - Public Records Law reminder: Assume that all (electronic and hard copy) records are public.
- Community Preservation Committee: report by Susan Lunin, official liaison
  - Lots of projects are in the pipeline: Gath Pool, Albemarle Fields
  - The proposed artificial turf at Albemarle Field is garnering some resistance due to concerns about microplastics, heat, injuries, PFAS etc. Commissioners discussed the likely need for peer review consultant, since neither the Commission nor staff are experts in the regulatory realm or the science surrounding artificial turf and environmental health. BETA (Phil Paradis) was mentioned as one possible expert to consult.
- Agriculture Committee: report by Jeff Zabel, official liaison
  - There will be an open house and ribbon-cutting ceremony for the new greenhouse and solar installation on May 6, 2023.
  - There will be a seedling sale on May 20 and 21.
- Commonwealth Golf Fund: report by Dan Green, official liaison
  - Invasives work is underway and they are constructing a new maintenance shed.
  - There was discussion about the recent Globe article noting the large sums of tax abatements the golf clubs get under Chapter 61

## **H. ISSUES AROUND TOWN UPDATES**

**ADJOURN at 9:33** [Motion: Zabel, Second: Cade, Roll-call vote: Green (aye), Lunin (aye), Gilligan (aye), Cade (aye), Katz (aye), Zabel (aye), Hepburn (aye). Vote: 7:0:0.]