



PUBLIC MEETING MINUTES Conservation Commission

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AGENDA Tuesday, January 27th, 2026, 6:30 p.m.

This Conservation Commission meeting was held remotely via Zoom, an online meeting platform. Public participation via calling in or using a computer was encouraged.

Commissioners Present: Kevin Beuttell, Duke Bitsko (joined at 7:06pm), Alexandra Dohan (left at 7:30pm), Philip Hamilton, Ruth Ladd (Chair), Jason Hnatko, and Thomas Whelan;

Associate Commissioner present: Tom Olivier

Staff Present: Megan Downer, Department Assistant; Not Present: Karen Mullins, Conservation Director;

6:30 PM **New Business/Pending Matters**

Ms. Ladd noted that Monday February 2nd is World Wetland Day.

Approve Minutes: 1/6/2026

On a motion by Mr. Hamilton and seconded by Mr. Whelan, the Commission voted 6-0 by roll call vote to approve the 1/6/2026 minutes.

Record of Vote as Follows:

Kevin Beuttell – Aye
Alex Dohan – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

*Commissioner Duke Bitsko joined the meeting at 7:06pm.

Request for Certificate of Compliance: 468 Marrett Rd, DEP #201-427, BL #382, OpenGov COC-26-1

Mr. David Robinson, Allen and Major Associates, presented and stated that the Order of Conditions from 1998 was permitted for the construction of an addition and installation of a small subsurface infiltration system and had not been closed. Mr. Robinson stated that there are new owners of this property that are not permitting anyone onsite to review for compliance, but for the purpose of clearing the Title, this permit needs to be closed. Mr. Robinson also stated that he reviewed the site from the street view and was able to see the addition was completed and

there is a mound onsite marking where the infiltration system was installed. Mr. Bitsko asked how the Commission is able to close this permit given the site is covered in two feet of snow and permission is not granted to come onsite. Ms. Ladd noted that this information will be relayed to the Conservation Director Karen Mullins to seek advice on next steps.

Request for Certificate of Compliance: 4 Peacock Farm Rd, DEP #201-1291, OpenGov CNOI-23-13, COC-25-24

Ms. Ladd stated that this item will be postponed until the next meeting in order to receive follow-up.

Request for Certificate of Compliance: 92 Hill St, DEP #201-1332, OpenGov CNOI-24-24, COC-25-21

Ms. Ladd stated that the Conservation Director, Karen Mullins, has not had time to review updates to this request and to advise if this site is in compliance.

Vote to Issue Order of Conditions: 16 Middleby Rd, DEP #201-1382, OpenGov CNOI-25-30

Ms. Ladd stated that the order will include a condition that Feno bounds are to be installed. Ms. Downer stated that the Commission also discussed including a condition for seed mix to be installed where the shed is to be removed.

On a motion by Ms. Dohan and seconded by Mr. Beuttell, the Commission voted 7-0 by roll call vote to issue the Order of Conditions.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Alex Dohan – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

Schedule site visits: 2/10/2026 Meeting

The site visits will be scheduled for Saturday February 7, 2026, starting at 9:00am.

Reports: Bike Advisory, Community Gardens, Community Preservation Committee, Enforcement Updates, Greenway Corridor Committee, Land Acquisition, Land Management, Land Steward Directors, Tree Committee

Ms. Downer provided an update on Conservation Department staffing and stated that Mason Bunker has joined the department as the Conservation Regulatory Aide.

7:00 PM **New Public Meetings/Hearings**

Notice of Intent: 475 Bedford Street

OpenGov Permit# CNOI-25-35, DEP #201-1383

Applicant/Property Owner: Essek Petrie, Pulte Homes of New England

Project: Demolition of the existing buildings onsite, construction of three multi-family residential buildings and parking lot, landscaping, trail connection, wetland replication, and associated site appurtenances, within Bordering Vegetated Wetlands and Isolated Vegetated Wetlands and within the 100-foot Buffer Zone from Bordering Vegetated Wetlands and Isolated Vegetated Wetlands.

Documentation Submitted:

- WPA Form 3 – Notice of Intent; Locus: 475 Bedford St, Lexington, MA; Prepared for: Essek Petrie, Pulte Homes of New England; Property Owner: Cresset Lexington, LLC; Prepared by: Scott Morrison, VHB; Date: 12/17/2025
- Fieldside at Lexington Project: Notice of Intent Application; Locus: 475 Bedford St, Lexington, MA; Prepared for: Pulte Homes of New England; Prepared by: VHB; Date: December 2025
- Site Plans: Issued for Site Plan Review; Locus: 475 Bedford St, Lexington, MA; Prepared for: Pulte Homes of New England; Prepared by: VHB; Signed and Stamped by: Peter T. Mara, Civil PE No. 53807; Date: 12/5/2025; Revised: 12/22/2025
- Site Plans: Issued for Notice of Intent; Locus: 475 Bedford St, Lexington, MA; Prepared for: Pulte Homes of New England; Prepared by: VHB; Signed and Stamped by: Peter T. Mara, Civil PE No. 53807; Date: 12/1/2025
- Stormwater Report; Locus: 475 Bedford St, Lexington, MA; Prepared for: Pulte Homes of New England; Prepared By: VHB; Date: 12/1/2025; Revised: 12/22/2025
- Preliminary Geotechnical Engineering Report; Locus: 475 Bedford St, Lexington, MA; Prepared for: Pulte Homes of New England, LLC; Prepared by: Sanborn Head; Revised: 7/9/2024
- Stormwater Management System Operations and Maintenance Manual; Locus: 475 Bedford St, Lexington, MA; Prepared for: Pulte Homes of New England; Prepared By: VHB; Date: December 2025
- Site Photographs; Locus: 475 Bedford St, Lexington, MA; Prepared for: Pulte Group, Inc.; Dates: 4/20/2021 and 4/26/2021

Mr. Hamilton stated that he will be recusing himself from the discussion and from voting on this hearing as he is a direct abutter.

Mr. Scott Morrison, VHB, presented and stated that there is an existing Boston Sports Club on the site which is proposed for demolition. Mr. Morrison stated that the proposal includes 3 four-story buildings with a total of 150 units and includes a trail connection to connect Simond's Brook Trail to Bedford Street. An Order of Resource Area Delineation was issued by the Commission for this site. Mr. Morrison also presented the Wetland Buffer Zone plan to note the site has a significant number of existing structures and site features that fall within the 25 and 50-foot buffer zones. There is a proposed impact to the Bordering Vegetated Wetland onsite and the Isolated Vegetated Wetlands onsite. Mr. Morrison stated that greater than 2:1 mitigation is proposed for this project including wetland replication and a detailed replication plan has been

submitted to the record. The landscaping plan includes removal of a large portion of pavement to be removed, and the area is proposed to be restored into a meadow.

Ms. Dohan stated that the proposed plants are native and appropriate for this site. Ms. Dohan also noted that the proposed erosion control includes straw wattles and that the Town requires compost socks for erosion control. Mr. Morrison stated that they will update the proposal accordingly.

Mr. Beuttell asked who the party responsible for the Operation and Maintenance plan will be. Mr. Morrison stated that this will likely be the management company for the Condo Association. Mr. Beuttell stated the Operation and Maintenance plan should be updated to directly state that and asked what the project status is with any other Town board or commission. The applicant filed with the Planning Board and has had the project presented in a Planning Board meeting and the hearing is ongoing to ensure any requests from the Conservation Commission are considered as well.

Mr. Bitsko asked if significant site features can be staked onsite such as the edge of the proposed parking lot, the proposed building, the existing parking lot edge, etc. Mr. Morrison stated that the site has been staked already for the previous Planning Board site walk and they will ensure the stakes are visible for the Commission's site visit. Mr. Essek Petrie, Pulte Homes, stated that proposed parking lot edge is painted on the existing parking lot and there is a line of existing lights that falls on the same line of the proposed parking lot edge. Mr. Bitsko also asked what the proposed height of the residential buildings is. Mr. Petrie stated that the proposed height is estimated to be fifty-one feet and a few inches and will be under the maximum allowed height of fifty-two feet. Mr. Bitsko also asked if the seed mix proposed for the wetland replication area can be replaced with plugs for increased odds of survivability and earlier success. He also asked for confirmation that the infiltration system onsite will meet the requirement for two-foot separation. Mr. Morrison confirmed that the proposed systems will meet this requirement and that documentation has been provided to show this has been met.

Ms. Downer stated that GCG has been assigned to peer review this project and Mike Carter from GCG was present in the hearing to address any comments.

Ms. Ladd asked if a lighting study has been completed for this project to review impacts on the existing and proposed wetlands and if the lighting would shine into the wetlands. Mr. Morrison stated that a shade study has been completed and any shadowing would only occur in the winter and this study can be provided for the Commission. Mr. Dale Horsman, VHB, stated that the shadow study and photometric plan were submitted to the Planning Board and can be shared with the Commission as well. Mr. Horsman also stated that the lighting is hooded and will meet all Town regulations. Ms. Ladd also asked if the proposed meadow will be a pollinator meadow and stated that a pollinator meadow would be preferred by the Commission. The meadow specifics still need to be provided to the Commission and Mr. Morrison will confirm with the landscaper on what is to be proposed. Mr. Petrie noted that the Planning Board discussed the meadow area being open for recreational use and the project team will need to review the options for shared use of this area.

Ms. Ladd suggested that shrubs should be planted in the Eversource easement instead of trees because any trees may be cut by Eversource. She also asked how maintenance would be performed on building three without impacting the 25-foot buffer zone. Mr. Morrison stated that they will consider this further. Ms. Ladd also asked if there is proposed disturbance in the wetlands at the outfalls on the plan. The outfalls are pulled back from the limit of the parking lot and the limit of work line juts out to account for grading to direct the drainage towards the wetland. Mr. Peter Mara, VHB, noted that Eversource and Kinder Morgan, the owners of the easements onsite, require the utilities be installed perpendicular to the electrical lines and limit the number of utility crossings and the placement of these. Ms. Ladd asked if the pipe on the east side of the site would be abandoned. Mr. Mara stated that anything within the pavement limits is proposed to be removed and anything within the wetland limits on the eastern edge will be abandoned in place to prevent further wetland impact.

Mr. Bitsko asked if permanent signage for the meadow could be included onsite noting that the area is restored and provide education regarding the value of the restored area.

Ms. Ladd stated that a letter has been provided by abutters with concerns for the Operation and Maintenance plan.

Ms. Doris Wong, 12 Drummer Boy Way and member of the Drummer Boy Homes Board of Directors, stated that the board submitted a letter to the Planning Board including concerns that the shadow study does not accurately depict the surroundings and does not include a scale, and asked if the Operation and Maintenance (O&M) plan is enforceable by the Conservation Commission. The O&M plan is enforceable by the Commission.

On a motion by Mr. Beuttell and seconded by Mr. Bitsko the Commission voted 5-0 by roll call vote to continue the hearing to 2/10/2026, at the applicant's request.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Philip Hamilton – Abstain
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

*Commissioner Alex Dohan left the meeting during this hearing and did not vote.

Continued Public Meetings/Hearings

Abbreviated Notice of Resource Area Delineation: 114 Wood Street
OpenGov Permit# CORD-25-2, DEP #201-1370
Applicant/Property Owner: Scott Seaver, Seaver Construction
Project: Confirmation of resource area delineation.

Previous Hearing Dates: 6/24/2025, 7/8/2025, 7/22/2025 (no testimony), 8/12/2025 (no testimony), 8/26/2025, 9/9/2025 (no testimony), 9/30/2025, 10/14/2025 (no testimony), 10/28/2025 (no testimony), 11/10/2025 (no testimony), 11/25/2025 (no testimony), 12/16/2025 (no testimony), 1/6/2026

Supplemental Documentation Submitted:

— Existing Conditions; Locus: 114 Wood Street, Lexington, MA; Prepared for: Seaver Properties LLC; Prepared by: Keenan Survey; Signed and Stamped by: Frederick W. Russell, JR. Civil PE No. 36713, and James Richard Keenan, PLS No. 30751; Date: 8/26/2025; Last Revised: 1/6/2026

Mr. Rich Kirby, LEC Environmental, presented and Mr. Fred Russell, project engineer, was in attendance. Mr. Kirby stated that a new version of the plan has been submitted with updated color coding. Mr. Kirby presented the updated plan, provided an overview of the resource areas and associated buffer zones, and noted that the latest plan is the same plan as previously submitted and the only changes included are color coding of the buffer zones and resource areas.

Ms. Ladd said the Vernal Pool Buffer line should not be the same line as the 100-foot Buffer Zone near Wetland Flag I-10. Mr. Kirby stated that Ruth is correct and the plans can be updated to reflect this. Mr. Kirby also briefly explained the differences in definition of the resource area of Isolated Wetlands versus Bordering Vegetating Wetlands, as requested by Mr. Bitsko. Ms. Ladd asked that the legend be updated to specify which resource areas are bylaw only.

Ms. Margie Brown, Integrated Resources Program Manager at Minuteman National Historical Park, stated that the proposed development is within the administrative boundary of the Park and the Minuteman National Historic District. Ms. Brown also expressed concern about the importance of the resource areas onsite including Lost Pond, the vernal pool onsite. Ms. Ladd noted that the Commission is currently only reviewing and confirming the jurisdictional areas onsite and is not reviewing the proposed development through this hearing.

Ms. Janet Lane, 21 Hayward Ave, read a prepared statement that has been submitted to the public record regarding the importance of the vernal pool onsite and stated that she is a Pre-school teacher and has visited the vernal pool for many years, collecting and studying tadpoles and salamanders. Ms. Lane asked if it has been confirmed whether the pavement and lawn area would be included or excluded from the Vernal Pool Habitat. Mr. Kirby stated that the state regulations exclude pavement and lawn areas from Vernal Pool Habitat and cited the Wetlands Protection Act 310 CMR 10.57 and 310 CMR 10.58 for confirmation of these regulations.

On a motion by Mr. Hamilton and seconded by Mr. Whelan the Commission voted 6-0 by roll call vote to continue the hearing to 2/10/2026, at the applicant's request.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye

Ruth Ladd – Aye
Tom Whelan – Aye

Notice of Intent: 26 Watertown Street
OpenGov Permit# CNOI-25-26, DEP #201-1376

Applicant/Property Owner: Eduardo Marfurte, Dalto's Construction, Inc.

Project: Raze and rebuild of a single-family dwelling and associated site appurtenances within the 100-foot buffer zone to Bank of a Pond.

Previous Hearing Dates: 10/28/2025, 11/10/2025 (no testimony), 11/25/2025 (no testimony), 12/16/2025 (no testimony), 1/6/2026 (no testimony)

Supplemental Documentation Submitted:

- Stormwater Management Report; Locus: 26 Watertown St, Lexington, MA; Prepared for: Checkmate Real Estate Group; Prepared by: Land Design Collaborative; Signed and Stamped by: Michael J. Scott, Civil PE No. 40863; Date: January 2026
- Engineering Comments; 1/22/2026

The applicant has requested a continuance without testimony to the 2/10/2026 meeting.

On a motion by Mr. Beuttell and seconded by Mr. Hnatko the Commission voted 6-0 by roll call vote to continue the hearing to 2/10/2026, at the applicant's request.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

Notice of Intent: 28 Hathaway Road
OpenGov Permit# CNOI-25-31, DEP #201-1380

Applicant/Property Owner: Rebecca Lespasio

Project: Demolition of an existing porch, construction of an addition to a single-family dwelling and associated site appurtenances, within the 100-foot Buffer Zone from Bordering Vegetated Wetlands and Bordering Land Subject to Flooding (Code only).

Previous Hearing Dates: 12/16/2025, 1/6/2026

Supplemental Documentation Submitted:

- Revision Letter: Wetland Permitting Plan; To: Conservation Commission; From: Paul Kirchner, and George Dimakarakos, Stamski and McNary. Date: 1/16/2026
- Stormwater Management Report; Locus: 28 Hathaway Rd, Lexington, MA; Prepared for: Rebecca Lespasio; Prepared by: Stamski and McNary, Inc.; Stamped and Signed by: George Dimakarakos, Civil PE No. 41281; Date: 11/7/2025; Revised: 1/16/2026
- Wetland Permitting Plan; Locus: 28 Hathaway Rd, Lexington, MA; Prepared for Lespasio; Prepared by: Stamski and McNary, Inc.; Date: 11/24/2025; Revised: 12/16/2025, 12/24/2025 and 1/16/2026

Mr. Paul Kirchner, Stamski and McNary, presented and stated that the plans have been updated to address comments from the engineering department about the stormwater management proposed. Mr. Kirchner stated that the stormwater system has been modified and soil testing has been done onsite. Mr. Kirchner also stated that a small layer of fill was found onsite and there is sand underneath the fill. The Engineering Department provided a positive report prior this hearing.

On a motion by Mr. Hnatko and seconded by Mr. Hamilton the Commission voted 6-0 by roll call vote to close the hearing.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

Notice of Intent: 229 Bedford Street
OpenGov Permit# CNOI-25-33, DEP #201-1381

Applicant/Property Owner: Rosette Wakanabo

Project: Construction of a second story addition to a single-family dwelling, replacement of the existing deck and stairs, and installation of a fence within the 200-foot Riverfront Area and within the 100-foot buffer zone from Bordering Vegetated Wetlands and Bordering Land Subject to Flooding (Code only).

Previous Hearing Date: 1/6/2026

Supplemental Documentation Submitted:

- BFE Sketch Plan; Locus: 229 Bedford St, Lexington, MA; Prepared for: Wakanabo; Date: 1/9/2026
- Revision Letter: Wetland Permitting Plan; To: Conservation Commission; From: Paul Kirchner, and George Dimakarakos, Stamski and McNary. Date: 1/20/2026
- Wetland Permitting Plan; Locus: 229 Bedford St, Lexington, MA; Prepared for: Wakanabo; Prepared by: Stamski and McNary, Inc.; Signed and stamped by: George Dimakarakos, Civil PE No. 41281, Joseph March, PLS No. 36384; Scale: 1" = 20'; Date: 12/5/2025; Revised: 1/20/2026

Mr. Paul Kirchner, Stamski and McNary, presented and stated that the previously proposed fence has been removed from the plans, Fenno markers are proposed along the limit of work line, a new England wet mix is proposed to seed the mitigation planting area, and the shed within the wetlands and debris surrounding this will be removed. Mr. Kirchner also stated that a crushed stone trench is proposed as well to prevent erosion onsite. The contour interpolation method was used to determine the floodplain elevation onsite as 173.5.

Ms. Ladd asked if the area in which the shed is to be removed will be seeded. Mr. Kirchner noted that this area will be seeded. Ms. Ladd noted that the Commission will not approve the floodplain line through this application.

Mr. Beuttell asked if data sheets have been provided and if there Fenos markers are proposed to have any specific writing on them. Ms. Ladd stated that the Commission will not be verifying the wetland line through this application as there is no additional work being done on the ground and that the Fenos markers should state “do not disturb”.

On a motion by Mr. Hamilton and seconded by Mr. Whelan the Commission voted 6-0 by roll call vote to close the hearing.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

Notice of Intent: 541 Marrett Road

OpenGov Permit# CNOI-25-34, DEP #201-1384

Applicant/Property Owner: Felipe Cortes and Gabriel Rodriguez Paez

Project: Demolition of existing porches, construction of an addition and covered front porch to a single-family dwelling, and associated site appurtenances, within the 100-foot buffer zone from Bordering Vegetated Wetlands and Bank of an intermittent stream.

Previous Hearing Date: 1/6/2026 (no testimony)

Supplemental Documentation Submitted:

- Notice of Intent Plan; Locus: 541 Marrett Road, Lexington, MA; Prepared for: Felipe Cortes & Gabriella Rodriguez Paez; Prepared by: Dillis & Roy; Signed and stamped by: Francis M McPartlan, Civil PE No. 49572; Scale: 1” = 20’; 12/3/2025; Revised: 1/19/2026
- Drainage Memorandum/Updated HydroCAD report; To: Lexington Conservation Commission; Prepared by: Dillis & Roy; Date: 1/19/2026

Ms. Mary Trudeau, Wetlands Consultant, presented and stated that the proposal includes the construction of an addition and that the existing house and landscaping are not complying with the Town’s current regulations. The hot tub and gazebo onsite fall within the 25-foot no disturb buffer zone and a portion of the existing deck and patio is within the 50-foot buffer zone. Ms. Trudeau stated that the proposal includes removal of the existing hot tub and deck and construction of an addition on the rear of the dwelling, with a portion of the addition falling within the 50-foot buffer zone. Ms. Trudeau noted that the stormwater management will improve current flooding conditions onsite and that a positive engineering letter has been provided from Town Engineering. A fence is proposed along the restoration area as well.

On a motion by Mr. Beuttell and seconded by Mr. Hamilton the Commission voted 6-0 by roll call vote to close the hearing.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

On a motion by Mr. Hnatko and seconded by Mr. Hamilton, the Commission voted 6-0 by roll call vote to adjourn the meeting.

Record of Vote as Follows:

Kevin Beuttell – Aye
Duke Bitsko – Aye
Philip Hamilton – Aye
Jason Hnatko – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

8:35pm

Respectfully Submitted,

Megan Downer
LUHD Department Assistant

Approved: 2/24/2026
Archived: 3/2/2026