



PUBLIC MEETING MINUTES Conservation Commission

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AGENDA Tuesday, February 10th, 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 (joined late), Alexandra Dohan, Philip Hamilton, Ruth Ladd (Chair), and Thomas Whelan; **Not Present:** Duke Bitsko and Jason Hnatko

Associate Commissioner present: Tom Olivier

Staff Present: Karen Mullins, Conservation Director, and Megan Downer, Department Assistant

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

Bowman Elementary School Stormwater Control Measure Informal Discussion

Mr. John Livsey, Town of Lexington Engineer, presented, and Ms. Marissa Martel, Lexington Engineering, Ms. Nicole Ferrara and Mr. Richard Kirby, LEC Environmental, and Mr. Kevin McCaffrey and Ms. Carley Quinn, Woodard & Curran, were also present for this discussion. Mr. Livsey stated that the Town of Lexington is subject to the EPA's Municipal Separate Storm Sewer System (MS4) General Permit and there is a requirement to reduce stormwater-related phosphorus loading by 108 pounds by June 2026, 135 pounds by June 2028, and 535 pounds by the year 2038. Mr. Livsey explained that the Town's Phase 1 Phosphorus Control Plan recognizes the existing stormwater control measures (SCMs) in Town that result in a phosphorus reduction credit. Mr. Livsey stated that by factoring in the existing SCMs, the Town needs to remove 11 pounds of phosphorus by 2028. The Bowman School has been identified as a possible location for structural SCMs.

Ms. Quinn stated that the Bowman School Site is ideal for a stormwater control measure retrofit and has no topographic constraints. Ms. Quinn stated that they are looking to propose a regional treatment system at Bowman near the intersection of Phillip Road and Worthen Road. Ms. Quinn presented a conceptual and preliminary design of a stormwater control measure for the site that proposed disturbance to 0.4 acres of the resource area. There is a Zone A and Zone AE flood zone that falls on the site. LEC Environmental has been onsite to delineate the wetlands. The existing Bordering Vegetated Wetland onsite is currently a mowed lawn area and they have found that this wetland is not high value as it does not provide significant benefits to the ground water supply, flood control, stormwater control and pollution prevention. Ms. Quinn stated that the proposed stormwater control measure would enhance these benefits onsite. The proposed project at Bowman Elementary is estimated to reduce phosphorus by 6.5 pounds a year. Ms. Quinn also stated that a native planting plan and a wetland enhancement plan would also be proposed.

Ms. Dohan stated that the Recreation Department recently presented a proposal to the Commission regarding irrigating the playing fields onsite and asked how that may work in relation to this proposal. Mr. Livsey stated that the irrigation is located further north of the site and would not impact this project.

Mr. Hamilton asked to clarify if the wetland to be disturbed onsite is an Isolated Wetland subject only to local bylaws and not protected by the state. Mr. Kirby stated that the wetland onsite is not isolated and they are working with the state to determine if this is jurisdictional on the state level since the wetland area is comprised of lawn grass and has been so since the school was built in the 1960's. Ms. Ladd stated that the wetland now is limited in its functions and the proposal would improve these functions and asked for follow up once comments are received from the state regarding this.

Ms. Ladd asked why there are two cells rather than one large cell. Ms. Quinn stated that gravel wetlands typically have multiple cells to enhance the flow path which ultimately helps to degrade pollutants. Ms. Ladd also asked if the design could be made to appear more natural for the site. Mr. Livsey stated that they are updating the plans and did not do so prior to this discussion to get feedback from the Commission before going into more detail.

Mr. Whelan stated that the grass area north of the proposed project location is quite wet and would be a good area to include for remediation.

Mr. Olivier asked how this proposal relates to possible plans for any renovations at the Bowman School. Mr. Livsey stated that the project team has discussed the plans with Mr. Michael Cronin, Town of Lexington School Building Committee, and that he stated he does not see the project impacting any potential future renovation of the school.

7:00 PM New Public Meetings/Hearings

Notice of Intent: 328 Lowell Street

OpenGov Permit# CNOI-26-1, DEP #201-1385

Applicant/Property Owner: Melissa Battite, Town of Lexington

Project: Construction of a natural grass athletic field, ADA accessible walkways, stormwater improvements and associated site appurtenances within locally regulated Isolated Vegetated Wetland (IVW) and within the 100-foot buffer zone from Bordering Vegetated Wetlands and from the IVW.

Documentation Submitted:

- Notice of Intent; Locus: Town of Lexington Maple Street Fields, 328 Lowell St, Lexington, MA; Prepared by: Activitas; Prepared for: Town of Lexington; Signed and Stamped by: Megan Buczynski, Civil PE No. 47392; Date: 1/20/2026
- WPA Form 3 – Notice of Intent; Locus: 328 Lowell St, Lexington, MA; Prepared for: Melissa Battite, Town of Lexington; Prepared by: Megan Buczynski, Activitas, Inc.; Date: 1/20/2026
- Wetland Delineation Summary Report; To: Megan Buczynski, Principal Civil Engineer, Activitas Inc.; From: Sommer Heyman, Staff Scientist, Epsilon Associates, Inc.; Subject:

Wetland Delineation at Harrington School – 328 Lowell Street, Lexington, MA; Date: 6/11/2025

- Permitting Documents; Locus: Town of Lexington Maple Street Fields, Lexington, MA; Prepared for: Town of Lexington; Prepared by: Activitas; Signed and Stamped by: Megan Buczynski, Civil PE No. 47392; Date: 1/20/2026
- Stormwater Report; Locus: Town of Lexington Maple Street Fields, Lexington, MA; Prepared for: Town of Lexington; Prepared by: Activitas; Signed and Stamped by: Megan Buczynski, Civil PE No. 47392; Date: 1/20/2026
- Operation and Maintenance Plan; Locus: 146 Maple Street Fields, Lexington, MA; Prepared for: Town of Lexington; Prepared by: Activitas, Inc.; Date: 1/20/2026
- Stormwater Pollution Prevention Plan; Locus: Maple Street Fields, Lexington, MA; Prepared for: Town of Lexington; Prepared by: Activitas; Date: 1/20/2026

Ms. Melissa Termine Battite, Town of Lexington Recreation and Community Programs Director, and Mr. Ben McDonough and Ms. Megan Buczynski, Activitas, were all present for this hearing. Ms. Buczynski presented and stated that there are two Bordering Vegetated Wetlands and an Isolated Wetland onsite. Ms. Buczynski stated that the proposal includes the removal of a portion of the existing tree line and the project team is working to keep as many trees as possible onsite and only removing hazardous trees and trees that need to be removed for the installation of the fields. Two natural grass soccer fields are proposed that will fit a full-size cricket field and the existing solar canopy will remain onsite. Ms. Buczynski also stated that porous walkways are proposed around the fields to connect to the existing trail network onsite and athletic lighting is proposed. Ms. Buczynski stated that the site drainage will be similar to how it functions now and a large channel drain is proposed to collect runoff from the field area and the proposed asphalt areas. A portion of the Isolated Wetland onsite is proposed to be filled and in the proposed conditions, the Isolated Wetland will not be taking any runoff. Wetland replication is proposed as mitigation for the filling of the Isolated Wetland.

Mr. Beuttell stated that the Engineering Department is reviewing these plans and asked if they have provided any feedback yet to the project team. Ms. Buczynski stated that the project team has not received any comments yet from Engineering. Ms. Buczynski also stated that they did not want to include the twelve-inch line into this drain so as not to overload the pipe. Mr. Beuttell also stated that the wetland replication will include tree removal and the Commission would like to see further details on the replication including groundwater elevation. Ms. Mullins stated that she has spoken with Ms. Marissa Martel in the Engineering Department and is working on setting up a meeting to review the drainage for this project since the drainage system is connected to the new Harrington School as well.

Ms. Ladd asked what kind of trees there are in the area where the mitigation is proposed. Ms. Buczynski stated that she will check with the project Landscape Architect to confirm the types of trees present.

On a motion by Mr. Beuttell and seconded by Ms. Dohan the Commission voted 5-0 by roll call vote to continue the hearing to 2/24/2026, at the applicant's request.

Record of Vote as Follows:

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

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, 1/27/2026

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: 1/26/2026
- Town of Lexington Planning Office Staff Memo; To: Lexington Planning Board; From: Aaron Koepper, Planner; Subject: Project Review for 114 Wood Street: SRD, Major Site Plan Review; Date: 1/29/2026

Mr. Rich Kirby, LEC Environmental, presented and stated that the Vernal Pool Habitat Buffer and the ILSF Buffer Zone line have been adjusted at the request of the Commission. Mr. Kirby also stated that the legend has been updated to note which buffer zones are jurisdictional under the bylaw only.

Ms. Jenny Stieglitz, 3 Amherst Street, asked if DEP would be peer reviewing this application as well. Ms. Ladd noted that the regulations have been read through by Mr. Kirby in the previous hearing. Ms. Stieglitz stated that there is a portion of a line that extends into an area not on cement or lawn on Parcel 59-200 and asked if this is jurisdictional. Mr. Kirby stated that the property boundary is not of concern for determining jurisdiction and the condition of the land is what has been accounted for in determining which areas are jurisdictional. The land in question is comprised of pavement or lawn and other gravel areas, and due to this condition, it is excluded from the Vernal Pool Habitat. Ms. Mullins stated that the Commission is currently reviewing this delineation under the State Act and Local Bylaws and that the Commission will be issuing a decision on strictly the resource area delineation. The public can appeal the decision to DEP if they have further concerns or other evidence on the resource area delineation and DEP would not be consulted at this point in the review.

On a motion by Mr. Hamilton and seconded by Mr. Whelan the Commission voted 5-0 by roll call vote to close the hearing.

Record of Vote as Follows:

Kevin Beuttell – Aye
Alex Dohan – Aye
Philip Hamilton – 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), 1/27/2026 (no testimony)

Supplemental Documentation Submitted:

— None

**Applicant has requested a continuance of the hearing without testimony from 2-10-2026 to 2-24-2026*

On a motion by Mr. Beuttell and seconded by Ms. Dohan the Commission voted 5-0 by roll call vote to continue the hearing to 2/24/2026, at the applicant's request.

Record of Vote as Follows:

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

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.

Previous Hearing Date: 1/27/2026

Supplemental Documentation Submitted:

— None

**Applicant has requested a continuance of the hearing without testimony from 2-10-2026 to 2-24-2026*

On a motion by Mr. Beuttell and seconded by Mr. Whelan the Commission voted 4-0 by roll call vote to continue the hearing to 2/24/2026, at the applicant's request.

Record of Vote as Follows:

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

New Business/Pending Matters, Continued

Request for Certificate of Compliance: 8 Blueberry Ln, DEP #201-1315, OpenGov CNOI-24-7, COC-26-2, Partial

Ms. Ladd stated that this item will be continued as staff have had insufficient time for review of this request which was received last week.

Request for Certificate of Compliance: 20 Woodpark Circle, DEP #201-1263, OpenGov CNOI-22-14, COC-23-27

Ms. Ladd stated that a Partial Certificate of Compliance has been issued for this and the only item that had remained at that time was the two full growing seasons of monitoring the plantings. The monitoring report submitted was slightly less than two full growing seasons, however the report showed success in the growth of the plantings. Mr. Beuttell stated it has been two calendar years since the plantings were done and he is comfortable issuing the certificate because the plants are surviving. All Commissioners present agreed to Mr. Beuttell's comments.

On a motion by Mr. Beuttell and seconded by Ms. Dohan, the Commission voted 5-0 by roll call vote to issue the Certificate of Compliance.

Record of Vote as Follows:

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

Request for Certificate of Compliance: 18 Winthrop Rd, DEP #201-1200, OpenGov CNOI-20-30, COC-24-24

Ms. Mullins stated that a final monitoring report was provided in November 2025 based on a 2023 site visit and staff missed this submittal at the time. Ms. Mullins also stated that based on the 2023 data there was not full survivability.

Mr. Kirby stated that there is a corrected monitoring report dated for 2025 and he will upload it to the portal for review for the next meeting as the record did not have this updated report submitted previously.

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

Ms. Ladd stated that the previous owner is requesting the Certificate of Compliance and the current owner is not permitting anyone onsite to review. Mr. Dave Robinson, Allen and Major Associates, asked what is needed in order for the Certificate of Compliance to be issued. Ms. Ladd stated the Commission typically cannot approve the issuance of a COC without being able to go on site and that comments have been provided in the OpenGov portal for remaining compliance items to be addressed.

Mr. Robinson stated that the bottom of the system elevation requested cannot be obtained without excavation. Ms. Mullins stated that the engineer at the time was required to oversee the installation and no record of this has been provided. Mr. Robinson asked what methodology would be advised to obtain this information without digging up the system. Ms. Mullins stated other projects have been able to obtain this through the downspout connection. Mr. Robinson stated that they will return to the site and use this methodology for obtaining the downspout elevations and follow up. Mr. Beuttell stated that if there are any significant deviations from the Order of Conditions then those will need to be addressed with the Commission. Ms. Ladd stated some deviations may require an amendment to the Order for approval.

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

Ms. Ladd stated that supplemental information from the project engineer has been provided.

On a motion by Ms. Dohan and seconded by Mr. Beuttell, the Commission voted 5-0 by roll call vote to issue the Certificate of Compliance.

Record of Vote as Follows:

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

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

Ms. Ladd stated that this request is for a partial Certificate of Compliance and the Commission is able to issue this partial with the only remaining item for full compliance being the monitoring period of the restoration plantings onsite.

On a motion by Mr. Whelan and seconded by Mr. Hamilton, the Commission voted 5-0 by roll call vote to issue the partial Certificate of Compliance.

Record of Vote as Follows:

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

Vote to Issue Order of Conditions: 28 Hathaway Rd, DEP #201-1380, OpenGov CNOI-25-31

On a motion by Ms. Dohan and seconded by Mr. Hamilton, the Commission voted 5-0 by roll call vote to issue the Order of Conditions.

Record of Vote as Follows:

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

Vote to Issue Order of Conditions: 229 Bedford St, DEP #201-1381, OpenGov CNOI-25-33

Ms. Ladd reminded the Commission that the previously proposed fence has been removed from the plans. Ms. Ladd stated that the Commission will not be approving the floodplain line in this Order nor confirming the wetland delineation.

On a motion by Mr. Beuttell and seconded by Mr. Hamilton, the Commission voted 5-0 by roll call vote to issue the Order of Conditions.

Record of Vote as Follows:

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

Vote to Issue Order of Conditions: 541 Marrett Rd, DEP #201-1384, OpenGov CNOI-25-34

On a motion by Ms. Dohan and seconded by Mr. Whelan, the Commission voted 5-0 by roll call vote to issue the Order of Conditions.

Record of Vote as Follows:

Kevin Beuttell – Aye

Alex Dohan – Aye
Philip Hamilton – Aye
Ruth Ladd – Aye
Tom Whelan – Aye

Schedule site visits: 2/24/2026 Meeting

The site visits will be scheduled for Saturday February 14, 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

None.

On a motion by Mr. Hamilton and seconded by Mr. Beuttell, the Commission voted 5-0 by roll call vote to adjourn the meeting.

Record of Vote as Follows:

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

8:03pm

Respectfully Submitted,

Megan Downer
LUHD Department Assistant

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