



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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2022 MAR -7 AM 10:36

CONSERVATION COMMISSION MINUTES

February 2, 2022

Donald Pearson called the meeting to order at 7:08 p.m. after stating the following:

This meeting of the Wilmington Conservation Commission is being conducted via remote participation. **No in-person attendance of members of the public will be permitted**, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. Members of the public who would like to participate in the meeting via Zoom can do so by clicking on this link:

<https://us02web.zoom.us/j/89207817053?pwd=a21vR0h0TjBIUIBha2pCR0NMbng2QT09>

Members of the public who would like to listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 892 0781 7053 then press # and press # again at the next voice prompt. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by following the steps previously noted then press *9 on their telephone keypad. This will notify the meeting host that the caller wishes to speak. In the event that despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the Town's website as soon as we are able.

Theron Bradley, Vincent Licciardi, and Michael McInnis were also present. Laura deWahl, Nestor Salazar, and Alexander Rittershaus was absent. Valerie Gingrich, Director of Planning & Conservation, Cameron Lynch, Conservation Agent, and Jayne Wierzbicki, Conservation Senior Clerk were also present.

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 201 Lowell Street – Map 48 Parcel 73A

Documents: Request for Determination of Applicability application and supporting materials, received January 18, 2022

Present in Interest: Dave Fenstermacher, VHB
Sarah French, VHB
Chris Reinste, Textron Systems Corporation
Alec White, Textron Systems Corporation

D. Fenstermacher stated that this is for 201 Lowell Street, the Textron site. Explained that there were a couple of people from Textron who are going to explain their internal measures that they are implementing. On October 15, 2021, Textron was conducting some storm hardening activities including tree trimming and cutting. They received a wetland violation via email that day from the town. VHB wetland scientists did go out after that, related to the specific area in question, then presented to the Conservation Commission at the November 3, 2021, hearing to determine if an after-the-fact RDA (Request for Determination of Applicability) would be required at that point, but at that time C. Lynch had noted additional areas when he did his walk of the site that required investigation. VHB did another site walk, prepping to do the RDA filing, wanted to work with Textron to make sure there weren't any

additional trees, and make sure those were covered now. They did identify a few trees, D. Fenstermacher spoke to C. Lynch at that time, that the application be delayed so they could give a more comprehensive application filing, and did another walk for those trees, came in and gave an update at the January 5, 2022, Conservation Commission meeting, and then were able to submit that application.

S. French stated that she is filling in for E. Olsen, VHB, who performed the site walks. Stated that there were two (2) areas, the first (shown on the visual display) was along the southwestern side of the property. There were fourteen (14) trees greater or equal to 6" in DBH (Diameter at Breast Height) that were cut, one of those was located in Bordering Land Subject to Flooding (BLSF) as well as the 100' buffer zone, thirteen (13) of those were just within the buffer zone, all located within uplands. There were seven (7) saplings that were noted under 6" DBH, all located within upland, 100' buffer zone. All those trees were accessed from the existing paved parking lot, pictures shown on visual display to give an idea. Stated that the area was not completely clear cut, they did very selective cutting, they did some storm hardening, they had some hurricane winds coming in, and wanted to come in and cut some of the low-lying branches and some dead trees. The second location was along the bunker area, there were two (2) trees cut in this location, they were both located within the upland, right along the side of the fence line, were within the upland riverfront area, BLSF, and 100' buffer zone. There were decent snags left on those, as shown on the visual display. On the left-hand side, there were previously some snags left there, they were just topped. Stated that as part of this RDA, they are also inquiring to get approval to cut one (1) other tree, which is growing into the fence. Stated that it is important to note that a lot of this riverfront area is previously disturbed with fencing and the bunker areas. The tree is located within that riverfront area. Textron has been working with their employees to put up some signage, stated that this was an employee that was not aware of the sensitive resource areas in the area when he went and did that emergency cutting work. They have been working on some employee awareness.

C. Reinste stated he is a facility planner at Textron. After the incident, he had been explaining what had happened to other employees and had gotten the same response about others being unaware of the wetlands. Stated that they saw an internal need, not just to let employees know where they are and what areas to avoid, but also just general awareness of what wetlands are, what buffer zones are, and what they protect. The first thing they did was, Alina Viehweber of Textron Systems Corporation and D. Fenstermacher, worked with C. Lynch to follow the regulations and rules, and to develop a plan on where they were going to install some signs and the quantity- they determined that thirteen (13) signs are going to be roughly-equally spaced along the buffer zone. From an internal awareness standpoint, it is kind of a three-fold plan; first they have gotten approval from the director of HR (Human Resources) to assign a virtual training to all employees across the site, which should be completed by the end of the month, they will be able to track who has completed it. Stated that the next step they completed was for new hires, during their onboarding process, they generally have a VHS training, they would incorporate the same information they used for the employee training, explaining what a wetland is, why they protect it, what is a buffer zone, how does it apply to Textron, and what can they do to help or avoid contaminating/damaging it. Stated that they will be reimplementing a contractor safety program, in the meantime, the facility manager will hand out information. Between the signs being in place and the contractor handout, believes it will cover an incident like this from happening again, via a contractor coming in and clearing anything or construction. While internally, with the training and info sessions during the onboarding processes, that will cover the communications internally.

S. French stated that they are seeking, from the Commission, an after-the-fact, negative determination for the areas impacted. Stated that no ground disturbance occurred in any of the resource areas and the stumps and roots were left in place. Believes that they have complied with the performance standards and to get approval to remove the extra tree.

C. Lynch stated that the department and Commission would like to see five (5) replacement trees planted, per the Commissions' policy, three to one (3:1), the fourteen (14) that were cut, plus the one (1) additional. As well as installing signage, but that has been covered.

S. French asked if the Commission or C. Lynch have any idea of where the trees should be planted. Stated that it doesn't make sense to plant new saplings within an already established area and does not think they would take. Believes Textron is open to that but thinks there should be some discussion on where those plantings should occur.

C. Lynch stated anywhere within buffer zone they can plant trees or shrubs; the Commission has a list of native species that he can send to S. French. S. French agreed and thinks it could be easily conditioned with a negative determination.

V. Licciardi stated that it looks like they have a good program.

M. McInnis asked, if they vote on a negative determination, how is it recorded that they perform the things C. Lynch requested.

C. Lynch stated it can be a condition.

V. Gingrich stated that if anyone in the audience has a question, they can use the "raise hand" function, or start the video and signal they would like to speak, for callers, it is *9.

Upon motion duly made by T. Bradley and seconded by M. McInnis, it was unanimously

VOTED: To issue a Negative Two (2) Determination of Applicability for 201 Lowell Street – Map 48 Parcel 73A

PUBLIC HEARING – NOTICE OF INTENT – 47 Hopkins Street – Map 10 Parcel 6 – DEP File #344-1496

Documents: Notice of Intent application received December 22, 2021
"Subsurface Sewer Disposal System" dated December 1, 2021
Revised page 2 of Notice of Intent application, received January 19, 2022
Revised "Notification to Abutters", received January 19, 2022
Revised "Notice of Intent Report", received January 19, 2022
"Subsurface Sewer Disposal System" last revised January 13, 2022

Present in Interest: James Castellano, Owner/Applicant
Maureen Herald, Norse Environmental Services, Inc.

V. Gingrich asked if anyone is here to present for 47 Hopkins Street.

C. Lynch volunteered to give some background if no one is present. Stated that this is the construction of a new single-family home, garage, deck, and patio. Including retaining wall, septic, and infiltration trench. Stated that a large portion of the house is within the 25' no build buffer zone and gets to about 16' away from BVWs (Bordering Vegetated Wetlands). Additionally, the deck, in the rear of the home, gets only about 11' away from the BVWs, while the retaining wall and the proposed post and rail fence sit at just 9' away from BVWs. Stated that something important to note is, in the original subdivision plan that they proposed, when they were coming before the Commission for approval for the roadway their original subdivision showed the house met these setbacks. A question for the Commission to ask

is why the change from original proposal. D. Pearson asked if there was anyone in the meeting to ask that question to. C. Lynch stated that it does not seem so at the moment. Stated that something else to add is the retaining wall will be 8' tall.

V. Licciardi stated that he thinks they are encroaching quite a bit, has two sets of plans, one shows one thing to add a patio after, so they are encroaching more, does see this is going to work.

T. Bradley stated the Commission saw plans that met the guidelines, cannot imagine why they would approve a plan that did not meet the guidelines. M. McInnis and D. Pearson both agree.

D. Pearson asked if they should continue to give the applicant a chance to recoup or deny it and move on.

V. Gingrich asked if Steve Eriksen was supposed to present for this and if he is in the meeting. Stated that, typically, they would need the applicant's permission to continue the hearing, in this case they are not here to do that. Stated that the Commission could deny it tonight which is, unfortunately, the best thing to do since the Commission does not have the ability to extend it without their permission.

V. Gingrich stated that she will send a message to see if it is S. Eriksen shown on the screen. T. Bradley asked about V. Gingrich's comment at the start of the meeting about needing people to have attended at least all but one of the sessions, if they were to continue this public hearing, it would tie their hands a little bit in the future on voting, it may be better to deny, and they can re-apply if they choose. V. Gingrich stated that they don't typically like to deny applications, but if it was to go forward, the four people who are here tonight would be needed at future meetings. T. Bradley stated that it would be a shame to tie the Commission's hands in the future if no one here is presenting. V. Gingrich stated that it looks like S. Eriksen is trying to connect, V. Gingrich asked through message to S. Eriksen if the public hearing should be continued. S. Eriksen said to continue.

D. Pearson stated that the project should be redesigned to meet the 25' and the 15' Conservation Commission policies, as it had been before.

Upon motion duly made by T. Bradley and seconded by V. Licciardi, it was unanimously

VOTED: To continue the Public Hearing for 47 Hopkins Street – Map 10 Parcel 6 – DEP File #344-1496 to the March 2, 2022, Conservation Commission meeting

PUBLIC HEARING – NOTICE OF INTENT – 116 Burlington Avenue – Map 17 Parcel 13 – DEP File #344-1497

Documents: Notice of Intent application received January 12, 2022
"Subsurface Septic Disposal System Replacement" dated December 20, 2021
Letter from Cameron Lynch, Conservation Agent, dated February 1, 2022
Letter from Steven Eriksen, Norse Environmental Services, Inc., dated February 2, 2022

Present in Interest: Christopher Cormier, Owner/Applicant
Luke Roy, LJR Engineering, Inc.

L. Roy stated that this is a Notice of Intent (NOI) for the demolition of an existing dwelling, construction of a new single-family dwelling, septic system, and associated site work. All located within existing altered area of riverfront area of Mill Brook. Stated that Safford Street is a gravel road, private way at

the bottom of the visual display. At the top is Mill brook, outlining the delineation that was done, there are no BVWs (Bordering Vegetated Wetlands) at this portion of the brook that affects this site, the delineation was strictly for the bank or the mean annual high water of the brook. There is an existing dwelling on the property, a garage, and a woodshed, located closer to the edge of Safford Street. Stated that the entirety of the property is within riverfront area, outlined the 100' buffer on the visual display, and just off the sheet is the 200' buffer, the entirety of the property is within that. The house structure itself is 87' to the edge of the brook at the closest point, there is an existing really old, failed cesspool structure septic system on the back of the house 73' from the wetlands at the closest point. Stated that he also wanted to note that another resource area was delineated by the topography, there is a flood plain 100-year flood elevation, which is the dashed blue line on the visual display. Stated that the plan-drawing that was submitted with the notice was kind of busy, wanted to isolate the existing information to show on the screen. The proposed lot, the record plan that created the lot is dated 1909, that is when the lot was created and it showed a structure on the lot, there has been a structure there for quite some time, believes it has been added on to over the years. But historically, the condition of the site has been that way for many years. The proposed site shows a new dwelling in the front, septic system, and looked to improve on the existing conditions; move the home as far forward as feasible, and mainly to keep as much of the house, certainly the septic system, outside of the 100' buffer zone. Stated that there is an existing paved driveway area on the existing site, the proposed driveway is in a similar location, somewhat overlapping where the old house was. Stated that this is a new Title 5 compliance septic system, there is some grading associated with that, they have also incorporated some stormwater measures, roof drain system in one area and a small stone infiltration trench along the back edge of the driveway. Stated that the existing tree line is way back, very close to the brook, it is a lawn area with some internal trees, some stonewalls, landscaped areas, etc. Stated that another thing was to improve upon this existing condition and increase the natural buffer between the maintained or occupied yard area in the brook; stated that they are basically proposing a demarcation line in the area outlined on the visual display, so that the existing tree line there, proposing to fill in and grow wild along the demarcation. Stated that there was a 100-year flood elevation, they did propose to kind of fill in the area that comes into where the yard area would be, and then, conversely, replicate outside of that, which was more of a cleanup measure to keep it so that the floodplain was not in the long term-maintained yard area. Stated that he saw there were some comments having to do with that, it is a question he would pose to the Commission, if they would rather see that eliminated, it does not have to be filled in, it could remain at the current elevation, but it was something that was proposed to kind of clean up so that the floodplain would be outside of the demarcation going forward. Stated that, in summary, they went through in their narrative in compliance with riverfront requirements, the lot was created in 1909, there is a section in the regulations regarding any lot that was created prior to 1996, it can be developed as a single-family home, provided that the riverfront performance standards are met to the maximum extent feasible. Stated that, in this case, they would move the house up to the street as much as possible, as well as the septic system, and are utilizing the portion of the lot that is as far from the brook as possible. Stated that they are significantly improving over the existing condition, as mentioned before, the existing house is 87' from the brook and the proposed is 100'. The existing, failed septic cesspool is 73' and the proposed septic system is 107'. The impervious coverage on the lot has also been decreased; 3,207 sq. ft. of existing impervious coverage, and the proposed lot is 2,513 sq. ft. so around a 700 sq. ft. reduction from the existing to proposed. Stated that, as he mentioned, the stormwater measures are incorporated with this design, whereas there are no stormwater measures currently on the property. Stated that this proposal will also, as mentioned before, serve to increase that natural buffer between the utilized lawn area and home and the brook from what it is currently. Stated that they received a DEP (Department of Environmental Protection) file number, there were no comments on the website. Stated that he saw the review letter from C. Lynch, stated that some things have already been included in their narrative, but can respond and answer some of the questions, and if the Commission would rather have that impact to BLSF (Bordering Land Subject to Flooding) eliminated, it can be removed from the plan, if simpler.

C. Lynch stated that his comments were sent out yesterday and went over those comments.

V. Gingrich stated that L. Roy sent an email pointing out the narrative on the riverfront that was attached to the NOI, wanted to clarify the comment, what the department is asking for in the comments is a breakdown of each requirement in the regulations under that specific section, there are four (4) major points that should be talked about and how they are meeting those criteria for riverfront. This proposal, it clearly shifts everything to the street and away from the brook, which has been accomplished by the plan. The department needs to be able to evaluate how those standards, one of which is what the siting of the home is difficult as far as the riverfront goes, limiting the yard size. Stated that they wanted the applicant to, point by point, talk about compliance.

D. Pearson asked whether it falls under the redevelopment within previously developed riverfront areas, which is 10.58.5 not 10.58.4

V. Gingrich stated that, in the comments, that is why the department referenced both of those sections, just to get a clarification from the applicant.

D. Pearson stated that one of the requirements is, in 10.58.5c, basically says that there should be no redevelopment within existing conditions or 100', whichever is less. That little spur on the driveway, where the stone trench is, is within 100', thinks that it does need to be clarified.

V. Gingrich stated that a comment was on the field indicators used to delineate mean annual high water for the brook. The department's comment in the letter was asking if they could provide what indicators were used to set those flags per the regulations; outlining their delineation method, what they saw, indicators that had those flags placed at those locations.

T. Bradley stated that it sounds like they are heading to a continuation, that we don't have what we need to make a determination, asked if that is correct. D. Pearson stated that he believes so. T. Bradley stated that he would like to see all the information requested before making a determination.

V. Gingrich stated that if anyone in the audience has a comment, they can use the "raise hand" function if they are on video. If anyone is on the phone and would like to make a comment, they can press *9, and it will notify the host that they would like to make a comment.

D. Pearson asked L. Roy if he is aware of continuance to the March 2, 2022, Conservation Commission meeting, asked if that gives enough time. L. Roy stated that he is sure that is fine. Stated that he understands that it looks like a little more detail in the riverfront requirements and knows in the narrative that he did a bullet point list of the improvements from the existing to the proposed and maybe structure it and outline it how the code reads. Stated that as they think they have demonstrated a drastic improvement of the site. Asked if the Commission has any feedback on the floodplain work and some of the comments on that, asked if they would prefer to just see that removed from the proposal.

D. Pearson stated that it seems to be secondary to whether the design works, as they have it, stated he is neutral on that. Asked the Commissioners how they feel, M. McInnis asked if there was a 24" tree in the middle of it that has to be removed. L. Roy stated that they aren't proposing that it be removed, but there is some grading surrounding it that could potentially impact the roots of the tree and stated he understands that comment, and if they had to relocate it, they could. If the Commission would rather see the flood zone long term outside of the yard area, they would make sure to do that compensation in a different spot to address those comments. M. McInnis stated that, with his comment, he is okay with what he is proposing there, but as long as it doesn't damage that 24" oak. D. Pearson stated that his

comment was they should be clear as to whether they are following the regulations in 10.58.5, which is redevelopment or whether it is 10.58.4 in terms of the performance standards. L. Roy stated that he will need to look at that and make sure it is clear.

T. Bradley asked if the continuance needs to be requested by the applicant before they can vote on it.

L. Roy agreed to the continuance.

Upon motion duly made by V. Licciardi and seconded by M. McInnis, it was unanimously

VOTED: To continue the Public Hearing for 116 Burlington Avenue – Map 17 Parcel 13 – DEP File #344-1497 To the March 2, 2022, Conservation Commission meeting

PUBLIC HEARING – NOTICE OF INTENT – 30 Upton Drive – Map R1 Parcel 18H – DEP File #344-1500

Documents: Submittal letter dated January 19, 2022
Notice of Intent application received January 19, 2022
“Operation and Maintenance Control Plan” dated January 5, 2022
“Stormwater Management Permit” dated January 5, 2022
“Plans to accompany Permit Documents” dated January 5, 2022
Letter from Valerie Gingrich, Director of Planning & Conservation, dated January 31, 2022
Memorandum from Paul Alunni, Town Engineer, dated February 1, 2022

Present in Interest: Devin Howe, Beals Associates, Inc.
Stephen Albano, Applicant/Owner

D. Howe gave an overview of what will be discussed. Stated that the development area, in context, is located at 30 Upton Drive and stated a few landmarks. The property itself is approximately 12.6 acres and located in the general highway industrial zoning district. One important thing to note is, the surrounding area is completely developed, with industrial and commercial properties, the one exception is 36 & 38 Upton Drive. Existing conditions of the site, there is an existing one-story brick building as shown on the visual display, approximately 81,000 sq. ft., featuring both industrial warehouse and office space. There is associated parking around the building, approximately 342 passenger parking spaces. There is parking in the front of the building, along the bottom side of the building and located also in the rear of the lot. Stated that there are seven (7) current loading docks. The property was last approved in January 2022, for an issued ORAD (Order of Resource Area Delineated) for the intermittent stream, from the Northern side of the site, which extends up into the 36 Upton Drive property, extends down to the Southeasterly direction, where it links up with the large offsite wetland/detention pond that receives the water from this existing development. Stated that there are two (2) existing curb cuts onto Upton Drive, pointed them out on the visual display. Stated that the intermittent stream, that had been pointed out, shows some general photos of that stream, and stated that the only area that has any constant flow, or flow at all, is down at the Southeastern corner of the property, in the background off a photo is the offsite detention pond and wetlands. There is some trash in there, next to existing pavement, not much flow in the areas adjacent to the parking lot. Stated that they have received comments from the Town Engineering Department as well as Planning & Conservation, receiving one comment in regard to a retaining wall that was in excess of 13', stated that they were advised that it is the Conservation Commission's policy to have a commercial or industrial structure, including retaining walls, at least 50' from the resource areas. Stated that they reviewed the towns policies and specifically found that the Commission seeks to maintain a 50' setback for new or commercial or multi-family structures from the

edge of BVWs (Bordering Vegetated Wetlands). Stated that as what was issued with the ORAD, they do not have BVWs on the site, there is an intermittent stream, stated that when they design these projects, they make every effort to comply with the towns bylaws and policies, but in a situation such as this, where there is a policy being said to them, but more or less doesn't exist, they cannot make their design comply with that regulation if they are not made aware of it. Stated that the proposed site plan, as seen on the display, the existing one-story brick building is to remain and at the rear of that building, they are proposing about a 45,000-45,500 sq. ft. building behind, with a 3,600 sq. ft. mezzanine space, that mezzanine space would be office. Stated that the loading for the building would be shared in between the existing brick building and the proposed building, designed it so that trucks would still be able to navigate into and out of the existing loading docks, and not interfere with the loading docks on the proposed building. Stated that the loading docks on the proposed building are sawtooth, a total of four (4), the reason they have to sawtooth the loading spaces is to ensure that the trucks are able to backup into the spaces without conflicting with the passenger or loading dock spaces for the existing building. The way this building has been designed is for the possibility of two (2) tenants, there is parking located at the top side of the building shown on the display, which would be one of the two main entrances, they have reconfigured the parking lot from the existing site plan, and relocated some of the parking spaces and added parking spaces on the bottom side of the building, which would be that second main entrance in case there are two tenants. Stated that they are also proposing to restripe existing parking spaces, while developing the site plan, determined that the spaces were oversized at about 10' wide, what they have done is reduced the width to the town requirement of 9', in the areas shown on the display. Stated that this allows to fit more parking spaces. Also proposing some parallel parking spaces on top side of the building, new parking addition in the areas shown on the display as well as relocating some of the ADA (Americans with Disabilities Act) spaces. Shows a side-by-side comparison of the existing vs. the proposed development on the display; existing 81,000 sq. ft. building plus the building being added would be 126,503 sq. ft., the total building gross square footage, 3,600 sq. ft. mezzanine space is the only difference. Stated that the total parking for the property drops substantially, because of the use of the property, 342 existing spaces, down to 245 spaces, which are required by town zoning. Go from seven (7) loading docks up to eleven (11). For the resource areas and buffer zone impact, the display shows the previously approved impervious area at about 40,000 sq. ft. located in the 100' buffer zone, where in the proposed development, there is 37,283 sq. ft. of impervious area. Stated that a portion of this is actually going to be part of the building, and the building is actually considered clean roof runoff, which will also improve the stormwater conditions. Proposed stormwater runoff system, shown on visual display, is where they are proposing underground pipes, stated that what they have done is the entire parking lot and the building both discharge into a drainage ditch, flows down to the pond completely untreated, there is no water quality controls, no attenuation, or reduction on rates at which it leaves the site, so more or less, hits any impervious area and immediately goes offsite. Stated that they picked up almost the entire existing pavement area there is a small portion they weren't able to pick up, however, they pick up the remainder of the existing pavement area and bring it to two (2) subsurface stormwater systems, the proposed building, proposing to also connect to these underground systems, which would allow recharge to that stormwater. Stated that there are no stormwater controls out there, nor water quality treatment or existing recharge. Stated that they are proposing to connect to an existing water main, bring it back around the building and extend it around to the back of the proposed building with the addition of a couple fire hydrants, which will be coordinated with the Wilmington Fire Department. Stated that they are proposing a connection to an existing septic system, located at the Northeast corner of the property, which is an open lawn space, where the existing septic system is. Proposing a pump station due to the elevations, the sewer/septic will come out in the area pointed out on the display. There is existing gas which they are proposing to connect to and bring it up to the building. There is an existing utility pole which they would connect underground to a transformer into the building. For landscaping, they are proposing to provide various landscaping throughout the project, there are 26 trees and 48 shrubs, proposing various species. Stated that they have provided the required interior landscaping per the towns zoning, there was a

comment from the town regarding this percentage, which they will be working to address. Stated that there won't be any impact to public or private water supply, will be working with the town water consultant to ensure that there is no impact. Stormwater management system will meet or exceed the Massachusetts Stormwater Standards, in addition to the towns regulations which they will comply with. Generalized the eight interests of the Wetlands Protection Act (WPA).

V. Gingrich stated that comments were issued by the Planning & Conservation Department, as well as comments from the Engineering Division and Fire Department, they commented on the layout, traffic, stormwater, and went through the main comments. Stated that the Planning Board will be doing a peer review of the traffic study that was submitted with the project.

V. Licciardi asked what they will do about the wall being so close to the wetland area. Stated that it is in the no build area.

D. Howe stated that is what he was discussing earlier, that retaining wall extends from the edge of the grass, extends along the edge of the pavement and stops in an area that was pointed out on the visual display, stated that they make every effort they can to comply with the towns policies and bylaws, however, when designing the project and when they reviewed the policies, stated that there is no policy on having a retaining wall within 15' or 50' of the intermittent stream, it requires it from BVWs, however, to answer the question on what they can do, which he believes is not a good alternative, is they can take the road in one area and start to dip it down so it comes around the corner so the proposed grade almost matches existing grade around that corner, which would likely allow a reduction of the retaining wall. Pointed out the infiltration system, if they were to drop the grade around the corner, they would not be able to have an infiltration system and wouldn't be able to provide the recharge that they would like to and wouldn't be able to achieve the same water quality as they will with that infiltration system. Another reason why they also cannot because of the high bedrock, and they located the infiltration system in the area with the most amount of fill they could to be able to have it. Overall, they could provide it, but wouldn't be able to provide any stormwater recharge to the site.

V. Licciardi asked what type of blocks they are using in that area; patio blocks, landscaping blocks, asked if they would consider the shea blocks, that would be in perpetuity.

D. Howe stated that they are proposing the ready rock wall. Asked V. Licciardi to clarify if he was suggesting a shea wall. V. Licciardi said yes. D. Howe stated that they can look into that.

V. Licciardi stated that he thinks that they would last longer, 20 years from now, they wouldn't be getting into an area where they would have to make some repairs. D. Howe stated that they can certainly look into that.

T. Bradley stated that he is a bit perplexed because the Commissions practice has always been to recognize a 50' no-build area in situations like this. Stated that it would seem to approve the plan as submitted, the Commission would have to say they were wrong and that there is no 50' buffer, stated that he is concerned.

D. Pearson stated that D. Howe is seizing on the wording where the Commission says BVW instead of resource area, so if the policy says BVW and there isn't a BVW there, then it doesn't apply. Stated that he believes that is the reasoning, asked D. Howe to clarify. D. Howe stated that is correct.

M. McInnis stated that, along the same lines, agrees that the interpretation is not perfectly clear. Asked if that was the Commissions intent, and if it wasn't their intent, maybe consider changing the bylaw, but

in the meantime, asked if it should be taken into consideration with regards to the comments V. Licciardi had about the wall and to at least consider that.

V. Gingrich stated that the Commissions policies are policies, there is no bylaw, the policies are meant to set up expectations, and meant to have thoughts about the impacts of certain things and the proximity to resource areas, so the policy doesn't specifically mention an intermittent stream or other resource areas but the idea is that the Commission is looking for some sort of setback or no build zone so that the resource area or whatever it is, is not impacted. Not direct impacts, but what happens in the buffer zone or what happens in the intermittent stream- what happens in that 100' to make sure, performance wise, that the resource area isn't adversely impacted. Even though the policy does not say intermittent stream, thinks that it is still something fair to ask of the applicant to consider alternatives.

D. Pearson asked D. Howe to consider and think about it, that the intent is to protect the resource areas as much as possible and give it some more thought.

D. Howe stated that after the meeting with V. Gingrich and C. Lynch, they came up with an alternative, which is that they cannot get recharge on the site, because it is their only opportunity in that area and if they drop the grade down, they wouldn't be able to get infiltration and provide stormwater recharge. Stated that if the Commission would rather not go with stormwater recharge, they just end up with the area, the sidewalk, would be up higher than the parking area, anyone walking would be a couple feet higher than the parking spaces if they walked on the sidewalk into the building. The parking spaces are lower than the finished floor of the building, and they would not be able to get that stormwater recharge and infiltration as well as improve that water quality. Stated that if that is what the Commission would like to see, then they could produce a plan showing that.

V. Gingrich stated that the Town Engineer issued comments on the stormwater piece, the applicant will be required to do infiltration on the site. They are in the Groundwater Protection District (GWPD), and they will need to exhaust all opportunities to do that infiltration on site. At this point, they are being asked to look at alternatives for that wall within the no build, at least moving it a little bit so that the impact on the actual resource area is less but didn't want the Commission to be under the impression that they had to choose between those things. Suggested the applicant to set up a meeting with staff to go over the comments and show the evaluation for recharge and all the other pieces of the puzzle. D. Howe stated that would be a good idea to discuss the alternatives.

Upon motion duly made by T. Bradley and seconded by V. Licciardi, it was unanimously

VOTED: To continue the Public Hearing for 30 Upton Drive – Map R1 Parcel 18H – DEP File #344-1500 to the March 2, 2022, Conservation Commission meeting

PUBLIC HEARING – NOTICE OF INTENT – 447 Middlesex Avenue – Map 96A Parcel 3A – DEP File #344-1498

Documents: Notice of Intent application received January 20, 2022
"Notice of Intent Plan" dated, January 20, 2022

Present in Interest: Derek Ciccariello, Owner/Applicant
Maureen Herald, Norse Environmental Services, Inc.

M. Herald stated that this is an after-the-fact filing, D. Ciccariello had taken down trees and pulled some stumps within the buffer zone. Pointed out the BVW (Bordering Vegetated Wetland) on the plan shown on the visual display as well as the buffer zones. Stated that D. Ciccariello received a NOV (Notice of

Violation), immediately stopped work, the town requested that the wetlands be flagged, which was done, they wanted to produce a survey to come back to the Commission and request to finish the work. Stated that there is a pile of fill on the property and would like to grade out the backyard so that it is flat, loam and seed it, and are proposing permanent demarcation along the 15', that the Commission likes to see, proposing boulders and native shrubs in the area.

C. Lynch stated that a draft Order of Conditions was sent to D. Ciccariello and M. Herald, stated that the only condition to point out was that native species be planted, but that had been proposed already.

T. Bradley asked for clarification of the spreading out and reseeding and if it will not occur within the 15' no disturb buffer. M. Herald stated that is correct.

D. Pearson asked how many trees were taken down if any. M. Herald stated there were trees taken down but is not sure of how many were taken down. D. Pearson asked if they were mature and provided some shade for the wetlands, and if they will recoup that with the shrubs along the demarcation line.

D. Ciccariello stated they were way closer to his house, they weren't anywhere near the back, he left those there which were all pines, about 100' pine trees. Stated that he took them out from the back of the house, they were right at the deck, as shown on the plan, the ones that are still remaining there was nothing that far back, left those as they were not a danger because if something ever falls, they are far away enough.

M. McInnis asked if the trees were in the policy that the Commission has, if there were any trees that need to be replaced. C. Lynch stated that it is 3:1, with every three trees taken down, one should be replaced and believes that with what is proposed at the 15' line, they more than cover that policy. M. McInnis stated that he wanted to make sure that it was going to be addressed.

D. Pearson asked if D. Ciccariello and M. Herald have seen the Order of Conditions and if they are okay with it. M. Herald agreed.

Upon motion duly made by V. Licciardi and seconded by T. Bradley, it was unanimously

VOTED: To close the Public Hearing for 447 Middlesex Avenue – Map 96A Parcel 3A – DEP File #344-1498

Upon motion duly made by T. Bradley and seconded by V. Licciardi, it was unanimously

VOTED: To approve the Order of Conditions for 447 Middlesex Avenue – Map 96A Parcel 3A – DEP File #344-1498

**PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION – 708R
Woburn Street – Map 57 Parcel 54E – DEP File #344-1499**

Documents: Abbreviated Notice of Resource Area Delineation application received January 19, 2022
"Existing Conditions Plan" dated December 31, 2021

Person in Interest: Maureen Herald, Norse Environmental Services, Inc.

M. Herald stated that the property is 4.79 acres. The property is between 708 and 710 Woburn Street and pointed out the access on the visual display. Stated that, essentially, there are no streams or perennial streams shown on the USGS (US Geological Survey) Topographic map, so there are no rivers associated with the property, there is no floodplain or bordering land subject to flooding. Natural Heritage does not map this area as estimated or priority habitat, and there are no certified vernal pools.

C. Lynch stated that, as they do with all ANRADs (Abbreviated Notice of Resource Area Delineation), the department will be recommending a peer review of the wetland line.

D. Pearson asked M. Herald if she is okay with the peer review. M. Herald stated that she is, and would like to continue it for a month, if appropriate, given the time of year, if there are any other snowstorms that it might get delayed, requesting a continuance for a month and see if it works.

Barbara Churchill, an abutter at 708 Woburn Street, stated that they have been through all the wetland thing a couple of years ago and wanted to bring to the attention of the Commission that there is quite a bit of flooding going on in that area. Stated that it is not true that there are no flooding areas on that property.

M. Herald stated that she does not dispute B. Churchill's statement that there is flooding there, but there is no designated floodplain per the FEMA (Federal Emergency Management Agency) floodplain, so there is no bordering land subject to flooding or 100-year floodplain which is what the Commission regulates.

B. Churchill asked why she carries national flood insurance. M. Herald stated she does not know. B. Churchill stated that is because the area is known to be flooding.

D. Pearson stated that what is being asked of the Commission tonight is to survey that land and to identify where the wetland resource area is, the boundary between it and the upland. It is not to do any corrective action or development.

B. Churchill asked if the wild animals in the area have been taken into consideration.

M. Herald stated that at this stage in the permitting process, wildlife does not fall into this application stage. Stated that this is just asking the Commission to verify the wetlands and any other resource areas, and the Commission will have another wetland scientist go out and take a look at the flagging, make any adjustments if necessary and then come back. The wildlife issues come into play if any future development happens on this piece.

M. McInnis stated that if there was a wildlife issue, it would need to be addressed before it is developed.

Upon motion duly made by M. McInnis and seconded by V. Licciardi, it was unanimously

VOTED: To continue the Public Hearing for 708R Woburn Street – Map 57 Parcel 54E – DEP File #344-1499 to the March 2, 2022, Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 99 Fordham Road – Map 99 Parcel 135 – DEP FILE #344-1489

Documents: Earthwork Recommendations letter, Geotechnical Services Inc., dated December 6, 2021

Resubmittal/Response Letter dated December 21, 2021
"Exhibit Plan" last revised December 21, 2021
"Non-Residential Site Plan" last revised December 21, 2021
Stormwater Management Report, last revised December 21, 2021
Memorandum from Paul Alunni, Town Engineer, dated January 14, 2022
Response Letter dated January 18, 2022
"Non-Residential Site Plan" last revised January 18, 2022

V. Gingrich stated that the applicant has requested to continue to the March 2, 2022, Conservation Commission meeting.

Upon motion duly made by T. Bradley and seconded by M. McInnis, it was unanimously

VOTED: To continue the Public Hearing for 99 Fordham Road – Map 99 Parcel 135 – DEP File #344-1489 To the March 2, 2022, Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 36 & 38 Upton Drive – Map R1 Parcels 18 & 18L – DEP FILE #344-1492

Documents: Operation and Maintenance Control Plan, last revised January 10, 2022
Plans to Accompany Permit Documents, last revised January 10, 2022
Summary of Revisions & Materials to Review Letter, dated January 12, 2022
Response to Conservation Commission Comments, dated January 11, 2022
Log of Test Pits dated December 23, 2004
Memorandum from Paul Alunni, Town Engineer, dated January 26, 2022
Email from Valerie Gingrich, Director of Planning & Conservation, received January 27, 2022

Present in Interest: Ben Masselink, DIV 36-38 Upton LLC c/o The Davis Company, Applicant/Owner
Larry Beals, Beals Associates, Inc.
Mathew Costa, Beals Associates, Inc.
Dan Ray, Jewett Construction

L. Beals stated that there were a few outstanding issues. They needed to receive review comments from the Town Engineer and the Town Planner, they received those last Thursday, they were good comments, and they were minor comments, stated that they were able to address all the comments and revise the plans and refiled on Friday. Stated that he suspects, given the towns workload, that the plans have not yet been reviewed, but they are very confident that they have addressed all the comments. Stated that they had a productive meeting with the Planning Board the night before and they are satisfied with any issues, subject to a final letter from the Town Engineer and Town Planner, so that hearing is closed and expect to receive a decision at the next one. Stated that he thinks they have been through a long process with the Commission and the Planning Board, it has been a process that has improved the quality of the project and appreciates the time and effort. Refreshed the Commission on the project and location. Stated that they agreed with the comments and that they make a lot of sense, it is easy to incorporate them into the plan because they are sensible. Stated that on the site layout, on the right-hand side, is one of the driveways coming into the property, stated that a comment said that the curb type should change from a cape cod berm to vertical granite curb to further protect the wetlands from salt. Stated that it is an increased expense, but it is a logical reason to do that and provides an extra degree of protection. Stated that as the Commission may remember, it has been their intent on how to manage salt and what to do in terms of operation and maintenance to protect the resource areas. Stated that there was also a question by the Town Engineer, he recommended, and

they put composition material down which allows grass to grow but provides access all the way around the building for emergency vehicles, his concern was that they did not have a hard edge between the pavement and the composition grass area, so they put a cape cod berm in there, stated that the Town Engineer did not want the water sheeting off of the parking lot and into that area which is intended to provide access for emergency vehicles. Stated that the Town Engineer asked that the stormwater structure at building C be swapped to a water quality unit and has asked to perform one more confirmatory test pit. They had provided a test pit to the Town Engineer that showed the bottom of the test pit, and he was concerned that it perhaps might be bedrock, they told the Town Engineer that it wasn't, that it was simply how deep the test pit was dug so that is where it ends, which bedrock would have been noted if they encountered it. Stated that they had also changed an error on the wall elevation to show correctly.

V. Gingrich stated that the department has not had a chance to look at the plans that were submitted on Friday, the hard copies were received last night. Will look at those and go over all the outstanding comments and would suspect to be preparing a draft Order for the applicants' consideration for next meeting.

V. Licciardi stated that several months have gone by and he had asked a few questions, but they were never answered. Stated that the roadway is in the 50' buffer zone and the corner of building C is in the 50' buffer zone. The Commission asked if they could shorten the building, but no one said anything about it. There are extremely high walls and are using patio blocks, asked if they could possibly use shea blocks, concrete and large.

L. Beals stated that the road in the buffer zone, which is in the outer edge of the buffer zone. V. Licciardi stated that the roadway is $\frac{3}{4}$ of the way into the buffer zone. L. Beals stated that particular road, under the earlier design, was further outside the buffer zone and the design was done in response to specific comments and suggestions made by the town staff because pulling that roadway further to the south creates an awkward turn, but the design now has satisfied the Town Engineer and L. Beals believes it is a superior intersection. Stated that how they have compensated with that is with the salt management plan and with the most recent granite curbing, which is done to provide an extra degree of protection given the proximity of that roadway in that area.

M. Costa stated that one of the roadways is partially within that 50' but the relocation of that second roadway was replacement of the road that previously crossed the intermittent stream and had far more direct impact to the 50', 15', and intermittent stream, so the realignment of the roadway is a far better improvement to reduce those impacts. Stated that for the wall construction, they have proposed both types of interlocking block, they have looked into the large shea, which is a ready rock block wall. They are looking into a Versaloc block wall for this site, they are a bit larger than the typical landscaped block walls that may be around patios. Stated that these walls have geo grids that run behind them a certain distance, about three times the height of the wall, the geo grid is what helps to hold that wall in place, it is similar to a gravity type wall, like what was mentioned a shea concrete wall, but the geo grids that extend back from the face of the wall that use that ground pressure from all that material behind the wall to hold those blocks back and to keep them in place. Stated that it is a very strong wall they have built them far higher than what they are proposing and lasted a number of years, but they are very strong walls in comparison to a shea concrete wall. Stated that in addition to that, the Versaloc walls can be built near vertical, whereas those ready rock walls require a bit of a taper to them, so that taper can increase buffer zone impact, so if they go to a near vertical wall, it can be pulled close to the roadway as needed. Stated that, as it relates to the height of the wall, they have one wall within the 50' buffer, it is only 7' high at the tallest point and then slopes down from that point, with an average height of about 4'. Stated that they also previously removed one of the retaining walls that was within the 50'

buffer, upon the Commission's request. Stated that they stand by the Versaloc wall it is a structurally sound wall and it can last.

V. Licciardi stated that with building C, there is a wall there, that according to his scale it is a 12' wall.

M. Costa stated that he is not wrong and that he is probably looking at the old plans. As L. Beals had mentioned, there was a typo on the wall that was next to building C. Stated that 7' wall is sitting along that access road, the other wall next to building C that V. Licciardi was mentioning was right down towards the bottom of the visual display, the wall elevation before said 159 which is actually 149, which is less than a quarter foot wall, and that was a typo that was pointed out as part of the comments. The wall is less than 4' around building C, so it is not considered a structure, similarly with the other wall on the other side of building C is less than 4' tall and outside of any resource area buffers.

V. Licciardi asked if they could shorten the length of building C, because it is within the 50' buffer zone. M. Costa stated that building C is not located within in the 50' buffer zone, the very corner of the building sits right on the 50' buffer. V. Licciardi stated that it is about 12'. M. Costa stated that the corner sits on top of the 50' buffer zone and that it is within the 50' buffer zone, they reduced the size of the building to get that access drive in, was 21,000 sq. ft. now it is about 19,000 sq. ft.

L. Beals stated that V. Licciardi may be looking at the older plan, and that building C was revised specifically to make it smaller. Stated that he may be looking at a plan that does not show it correctly, but M. Costa showed they are not within the 50' buffer zone with the building.

M. McInnis stated that going off V. Licciardi's question, they are saying an older drawing, asked date of newer drawing. M. Costa stated the date of the newer drawing is January 27, 2022, that is the drawing V. Gingrich mentioned that was submitted on Friday.

M. McInnis asked V. Gingrich if that is the one they do not have yet. V. Gingrich confirmed that is right but asked M. Costa if the previous drawing has that smaller footprint as well. M. Costa confirmed, the plan is dated January 12, 2022. V. Gingrich stated that the plan in the Commissioners packets does have the smaller footprint for building C.

D. Pearson referenced the letter dated January 11 to V. Gingrich, stated that there is a table on page one, Buffer Zone and Resource Area Impact for the Intermittent Stream, there is a table on page two, Buffer Zone and Resource Area Impact Overall Summary, and there is a table on page three, which also says Buffer Zone and Resource Area Impact Overall Summary, and pages two and three are different, asked for clarification.

M. Costa stated that, at the previous January meeting, one of the Commission members requested clarification again on the resource area impact summary, they have provided the tables since one of their very first meetings. Stated that the three tables they have is an overall summary of resource area impacts, the second is just specific to the northern wetland resource area, and the third is the impacts that are related to the intermittent stream and the removal of that wetland crossing.

D. Pearson asked to review the one that has a total impact of +9,300'. Stated that it is not labeled 'wetland resource area' in the letter, it is labeled "overall summary", it looked like there were two tables with the same title and yet different numbers. Stated that in their winter maintenance checklist, in the O&M (Operation & Maintenance) manual, he likes the way it is coming together. Asked about the checklists at the very back, they have an item that says "ensure structures are not blocked by ice, snow, debris or trash..." and there is another thing in the 5.13 winter maintenance paragraph that reads "when applicable, a silt fence or equivalent barrier shall be placed securely on the downgradient side of

the snow disposal site” and wonders if that is something they would not want someone to make a judgement about in the checklist as well.

M. Costa stated that they provide that in typically all their O&M manuals if there is any snow storage that occurs on any steep slopes that go down to any resource areas, for this site, they ensure that they do not have any snow storage areas that are in relation to the wetland resource area. Furthermore, they have supplied “no snow storage” or “no dumping” signs along all the roadways and parking areas that are adjacent to the wetland resource areas as well as the intermittent stream.

D. Pearson stated that, when applicable, asked if that is even possible for this project. M. Costa stated that he does not believe so. D. Pearson stated that if it is something that might apply, that it should go into the checklist. But if it is something that does not apply, then maybe they should take it out of the 5.13 section.

L. Beals agreed that it should be removed.

D. Pearson asked if they will be looking at a continuance so that the Engineering Division and Planning & Conservation can review at the most recent set of drawings and look to issue a draft for March.

V. Gingrich stated that would be ideal.

L. Beals stated that if it is ideal for V. Gingrich it is ideal for him.

Upon motion duly made by T. Bradley and seconded by M. McInnis, it was unanimously

VOTED: To continue the Public Hearing for 36 & 38 Upton Drive – Map R1 Parcels 18 & 18L – DEP File #344-1492 to the March 2, 2022, Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 226 Burlington Avenue – Map 17 Parcel 54 – DEP FILE #344-1495

Documents: “Site Plan to Accompany Notice of Intent Application” dated January 28, 2022

Present in Interest: Stephen Lawrenson, Applicant

S. Lawrenson stated that this is for the demolition of an existing home and replacement of a failed septic system, and the reconstruction of a smaller footprint home and another septic system to accommodate that. They are working in the buffer zone for a lot of that and the new construction will be further from the wetlands and closer to the street.

C. Lynch stated that on the original plan they did not show demarcation, they have provided a new plan that shows it at the 15’ no disturb line. Stated that he is unsure if it was included in the packets to the Commissioners, because it was received earlier this week, but the new plans are in hand and a draft Order of Conditions was sent to S. Lawrenson today.

D. Pearson asked S. Lawrenson if he has looked over the draft Order of Conditions and if he is okay with them. S. Lawrenson agreed.

Upon motion duly made by V. Licciardi and seconded by T. Bradley, it was unanimously

VOTED: To close the Public Hearing for 226 Burlington Avenue – Map 17 Parcel 54 – DEP File #344-1495

Upon motion duly made by T. Bradley and seconded by M. McInnis, it was unanimously

VOTED: To approve the Order of Conditions for 226 Burlington Avenue – Map 17 Parcel 54 – DEP File #344-1495

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – Marion Street, Eagleview Subdivision – Map 5 Parcels 2J, 3, 3A, 3C, 3D, 3E – DEP File #344-1494

Documents: Memorandum from Paul Alunni, Town Engineer, dated January 21, 2022
Review Letter from Valerie Gingrich, Director of Planning & Conservation, dated January 21, 2022

Present in Interest: Craig Newhouse, Applicant/Partial Owner
Luke Roy, LJR Engineering, Inc.
Kristen Costa, C.S. Newhouse Builders, Inc.

L. Roy stated that they presented the project last month and since then they have received some lengthy comment letters from both the Planning & Conservation Department and the Engineering Division. Stated that they will be looking at those and responding/addressing them and are looking to request a continuance. Stated that he wanted to address a comment about getting the Notice of Intent (NOI) peer reviewed, stated that the most involved part of review of a NOI is the review of the resource areas themselves and confirmation of the resource areas impacting a given site. Stated that, as the Commission knows, they went through that process of submitting an ANRAD (Abbreviated Notice of Resource Area Delineation) for reviewing all the resource areas and received the ORAD (Order of Resource Area Delineation) confirmation on that. Since receiving the comments, they have discussed with the wetland consultant on the project and gone through comments pertinent to the NOI itself and the wetlands review, they feel it can be addressed and straightforward as far as addressing and responding to those comments. Stated that, overall, a peer review of the NOI shouldn't be necessary.

V. Gingrich stated that this is the first comment letter, went over high level comments at that point, with the previous ANRAD/ORAD process, the intermittent stream that is going to be crossed with the roadway entrance was not delineated with that review, the stream bank was not delineated, with that crossing they will have to evaluate the stream crossing standards to show, for instance, why they are proposing a pipe culvert and why a box culvert wouldn't work there, how closely they can match the stream crossing standards, which there is a lot of analysis that goes into that piece of it. Stated that the replication area is also something that the department pointed out, the design, the shape that did not connect to the other piece of wetland, there was an upland piece in between. Looking at those replication areas and the planting/methodology that is going to be used. Stated that there is a large stretch of over 100' of BVW that will be impacted with the second wetland fill piece as you go in the roadway, that connection underneath that roadway is proposed as an 8' or 9' box culvert that separated over 100' of wetland and floodplain. Being able to have a peer reviewer look at those analyses would be very helpful to the department and to look at the delineation of bank for the intermittent stream, and to evaluate the stream crossing standards analysis. Stated that the department can wait to see their reply and what the information shows but does not think they will be changing the peer review recommendation to the Commission, still recommending a peer reviewer because they are looking at another delineation of bank and impacts to that resource area.

L. Roy stated that speaking with their wetland consultant, that first crossing being an intermittent stream, their understanding of their delineation of that is the centerline of it, it is not like a perennial stream that would have a flag bank on each side, but that is the latest information they have.

V. Gingrich stated that is not the departments understanding, the resource area with that would be the bank of the stream, so that bank would have to be delineated, the middle of stream wouldn't be taken into consideration here. They have run into this with some town projects with DEP, even if you're temporarily impacting, still would have to delineate and quantify those impacts with an intermittent stream and it would be the actual bank, not the centerline. Stated that is another reason they would like to have a peer reviewer, thought that Mary Rimmer of Rimmer Environmental Consulting, LLC, who peer reviewed the other delineation on the site might be a good choice because she is familiar with the property. M. Rimmer walked it with the applicant's wetland scientist, looked at and reviewed the flags, so that was the thought the department had.

L. Roy stated that they agree that if it was the opinion of the Commission that it should be required, and it might be a good way to go with it.

D. Pearson agrees with V. Gingrich about giving the applicant time to respond to a lot of the comments they have before the review takes place, also to take into account the weather.

L. Roy stated that the only hesitation with starting the peer review process is getting that started sooner rather than later if it is going to be required.

C. Newhouse stated that he agrees with both things, maybe they can put something together that if they can answer the questions and have it brought forward in a really easy, understandable way, then go ahead and do that, and if they do not need the peer reviewer, then they could let it go that way if determined, otherwise, maybe if the Commission could allow to start the process if need be and prior to the next meeting if it is determined by V. Gingrich if they still need to do the peer review, then they can start and get some quotes and start the process if that sounds reasonable.

D. Pearson stated that it would be more guided by the fact that V. Gingrich felt ultimately a peer review would be the smart thing to do.

V. Gingrich stated that the peer reviewer would start with the information that comes in next. The response to comments, the information they are going to provide on stream crossings and their analyses, thinks that will be something for the peer reviewer to look at in addition to what was submitted in the NOI. Stated that getting a peer reviewer on board does take a couple of weeks to accomplish, it is just a question of timing.

D. Pearson stated that if it is something that is inevitable, starting it now and locking someone in would be the thing to do.

Upon motion duly made by T. Bradley and seconded by V. Licciardi, it was unanimously

VOTED: To continue the Public Hearing for Marion Street, Eagleview Subdivision – Map 5
Parcels 2J, 3, 3A, 3C, 3D, 3E – DEP File #344-1494 to the March 2, 2022
Conservation Commission meeting

REQUEST FOR CERTIFICATE OF COMPLIANCE – 49 Butters Row – Map 28 Parcel 5A – DEP File #344-1234

Documents: Request for Certificate of Compliance application, received January 19, 2022
Compliance Letter dated December 13, 2021
2019 Monitoring Report, dated November 6, 2019
"As-Built Site Plan" dated December 3, 2021

Present in Interest: Scott Smyers, Oxbow Associates, Inc.

C. Lynch stated that he conducted a site visit, he has no comments, and believes it is ready to issue.

D. Pearson asked about the report from Oxbow Associates, Inc. where it mentioned there was some mowing going on, and it is probably not easy to see under the snow. C. Lynch stated that it is not very easy to see right now. D. Pearson stated that he guesses this property is going to change hands.

C. Lynch stated that he believes so, and the applicants wetland scientist is here if there are any questions.

D. Pearson stated that it says it was mentioned in the report that somehow, we have to get the word back out there that mowing is not an activity that should be taking place beyond the demarcation. But takes the point that it is ready to issue.

V. Gingrich stated that they are supposed to get notification or sign off from the new owner when it does change hands and once they get that, the new owner can reach out if they have questions about the Order of Conditions that applies to the property, guide them in their no disturb zone.

Upon motion duly made by T. Bradley and seconded by V. Licciardi, it was unanimously

VOTED: To issue the Certificate of Compliance for 49 Butters Row – Map 28 Parcel 5A – DEP
File #344-1234

**REQUEST FOR CERTIFICATE OF COMPLIANCE – 12 Crystal Road – Map 58 Parcel 312 – DEP
File #344-251**

Documents: Letter from Tracey Misuraca, Esquire, Kenney & Spencer, RC, dated January 11, 2022
Request for Certificate of Compliance application, received January 11, 2022
Recorded Order of Conditions, received January 11, 2022

Present in Interest: Tracey Misuraca, Kenney & Spencer, RC

D. Pearson asked why there are two DEP (Department of Environmental Protection) File numbers.

C. Lynch stated that, when the neighborhood was first built, it was all filed under one NOI (Notice of Intent), houses not within the buffer zone were subject to the Order of Conditions of the whole neighborhood instead of how it is done now where they come in for the street and then file individually for the houses. This was one of those houses outside of the buffer zone but included in the NOI. Did a site visit and stated it was well outside.

V. Gingrich stated that the two file numbers, the beginning of the roadway where there is a crossing had a filing first and its own file number, and then when they continued the roadway work beyond that, they filed a separate NOI and got a separate Order. It was done in two stages, not sure why, but the

whole development/property was included in the NOI, even though this house and its accessories are outside the buffer, it was included in those Orders.

D. Pearson asked if it was on the same book and page in the registry, there is two references here. Stated he will not get into it too far.

Upon motion duly made by M. McInnis and seconded by V. Licciardi, it was unanimously

VOTED: To issue the Certificate of Compliance for 12 Crystal Road – Map 58 Parcel 312 – DEP File #344-251

REQUEST FOR CERTIFICATE OF COMPLIANCE – 12 Crystal Road – Map 58 Parcel 312 – DEP File #344-289

Documents: Letter from Tracey Misuraca, Esquire, Kenney & Spencer, RC, dated January 11, 2022
Request for Certificate of Compliance application, received January 11, 2022
Recorded Order of Conditions, received January 11, 2022

Present in Interest: Tracey Misuraca, Esquire, Kenney & Spencer, RC

See above minutes for 12 Crystal Road as both Requests were presented jointly.

Upon motion duly made by M. McInnis and seconded by V. Licciardi, it was unanimously

VOTED: To issue the Certificate of Compliance for 12 Crystal Road – Map 58 Parcel 312 – DEP File #344-289

REQUEST FOR CERTIFICATE OF COMPLIANCE – 6 Sgt. Veloza Way – Map R2 Parcel 42 – DEP File #344-1380

Documents: Request for Certificate of Compliance application, received January 19, 2022
Four (4) pictures of property, received January 19, 2022
“Plan to Accompany Request for Certificate of Compliance” dated January 18, 2022
“Sanitary Disposal System Plan” last revised February 28, 2018

Present in Interest: Elizabeth Wallis, Hayes Engineering, Inc.

C. Lynch stated that he went on a site visit and it, overall, looks good, the only area to note is in the back left of the house where they have a small paver patio that was not on the original NOI (Notice of Intent). Stated that it is paver patio so water can get through the cracks, but it is something for the Commission to consider.

D. Pearson asked if the patio was not on the initial filing. C. Lynch stated that is correct. D. Pearson asked where the paver patio is in respect to the wetlands. C. Lynch stated that it is outside of the 30' Conservation Subdivision buffer.

V. Gingrich stated that it is about over 50' if remembering correctly. Stated that C. Lynch said they have slider doors in that location, so this is a landing space outside of those doors and it looked like it was over 50' away. C. Lynch stated that it looks like it just enters the 50'.

D. Pearson stated that, by issuing the Certificate, the As Built that includes the paver patio will be baseline for any subsequent filings for what the new owners want to do. V. Gingrich and C. Lynch both stated that is correct.

D. Pearson asked how the Commission felt about the small paver patio being part of the picture going forward. The Commissioners agreed they are okay with it.

Upon motion duly made by V. Licciardi and seconded by M. McInnis, it was unanimously

VOTED: To approve the Certificate of Compliance for 6 Sgt. Veloza Way – Map R2 Parcel 42 – DEP File #344-1380

NOTICE OF VIOLATION

34 Birchwood Road – Map 81 Parcel 28

C. Lynch stated that the department received a call a couple of weeks ago that a large amount of fill was being brought into the side yard of 34 Birchwood Road. Stated that when he did a site visit, there was a large amount, and tried to get in contact with the homeowner, but was never home when C. Lynch went to the property. An initial letter was left in the mailbox that stated the work needed to stop, and it has since stopped. A formal NOV (Notice of Violation) was sent out right after. Stated that the initial letter was sent out because he went out four or five times and just missed the workers every single time it seemed, just wanted to get that initial letter out so they knew to stop right away. D. Pearson asked if C. Lynch had extended an invitation to attend tonight's meeting. C. Lynch stated that he did and believes the homeowner is here.

Andrew Herlihy, Homeowner of 34 Birchwood Road, stated that he apologizes, he is a schoolteacher, so he is never home. Stated that his neighbor had told him that night that he received the letter in the mail, he apologized and did not know that he was in violation and that he should have done more research. Stated that he had emailed V. Gingrich, he believes, October of 2020, looking to put a fence up so that his kids don't get any more thorns in them, which was his original intent. Stated that the fence company said the homeowner needed to bring in fill to be able to put in a fence, which was when this whole thing started. Stated that he has read over the letter, has emailed C. Lynch a couple of times, and talking to some companies around and has seen Maureen Herald of Norse Environmental Services, Inc., so he will be in contact with her since she is involved in a lot of the projects and will be reaching out to her to make sure that everything that is in the letter can be rectified and can go through the process. Stated that he should have done more research and apologizes, he wanted to be able to get a dog and have the kids not get thorns.

D. Pearson thanked A. Herlihy for being a teacher. Asked if he will file to get permission to do the grading as well as put in the fence.

A. Herlihy stated that, what he can tell from it, there are two things, he did cut down a couple of trees, they were smaller and close to his property but in July, there was a 40'-45' tree that fell and broke very close to the wetlands, a lot of the reason why he cut down some of the trees is because his direct neighbor, about four years ago, had their house destroyed from a tree falling, he did not want that to happen, so he removed a couple of trees. He thought, by his 100x100 lot it was on his property, so he

thought it was fine leaving the brush where it was, he has been trying to remove as much as he can and will continue to do so. Will be in contact with M. Herald or other companies to get someone out to delineate where the wetlands go, but his whole hope was for the fence company to gently grade it down and then actually be able to put in a fence. Stated that there was maybe a rock wall that needed to happen and asked C. Lynch. C. Lynch stated that it probably is his property line, so he is assuming that is probably close to the location of where the homeowner would like to put it.

A. Herlihy stated that was what the plan was, and once he got the letter, he had told them to stop right away, so it looks bad right now because it was not done. C. Lynch stated that he had seen it before and it looks the same, which is good. A. Herlihy stated that he has been emailing C. Lynch and will try to get someone to come out to his property, with the snow it may be a while and is unsure, but for them to be able to do it but will contact M. Herald and come back when he needs and file some paperwork and go from there.

D. Pearson thanked A. Herlihy for his cooperation.

V. Gingrich advised the Commission to set a deadline for filing, which can always be extended by the Commission, in this case she suggested setting out for the April 6, 2022, meeting, that application would be needed two weeks before the meeting and if that cannot be met, they can ask for extension from the Commission.

D. Pearson agreed. A. Herlihy and D. Pearson asked for the deadline date and the date of the April meeting. C. Lynch stated that the meeting would be the first Wednesday of the month, but is not sure of the exact date, but whatever two weeks before that first Wednesday would be the deadline. A. Herlihy stated it would be March 23 for the deadline, is not sure of the process, but asked what he would need to file. V. Gingrich stated he will need to file the paperwork, the application, and whoever comes out to delineate will, when they put all of that on a plan, A. Herlihy would file the application and the plan by that date so he would be on the April 6, 2022, meeting.

A. Herlihy asked for clarification that by March 23, hopefully have someone come out to delineate the wetlands and then file the application and the plan. C. Lynch and V. Gingrich stated that is correct.

702 Sandy Lane – Map 106 Parcel 124

C. Lynch stated he is not sure if anyone is in the meeting for this NOV but offered to give an explanation. Stated that it started back in July of 2021, the department was notified that the homeowner had cut down a large amount of vegetation and trees on town owned land and town owned conservation land, extending approximately 35' into town owned land. Stated that, on that town owned land, he has been storing yard equipment, it seems like he put down gravel back there to kind of stabilize area because it is very wet, he potentially went into the wetland, when C. Lynch went out it was hard to tell but it got pretty wet once he got deeper into that vegetation area. Additionally, it seemed like he did some work to his deck, expanded it, in comparison to the surrounding houses decks, which all the houses in that part of the neighborhood are exactly the same and it looks very different from the other houses decks. Stated that he definitely brought in fill to raise the level of his backyard compared to his neighbors, which you can see the side by side on the fence how his is raised considerably higher. Stated that KP Law has also sent him a letter, they are the law firm that represents the Commission, regarding the encroachment on the town owned land. C. Lynch stated that, he believes, in the letter it states that the homeowner had 20 days to remove all the material from town owned land, from when he got that letter but is not sure when he got that letter.

D. Pearson asked what the situation was when they learned of it in July till today.

C. Lynch stated that he initially spoke to the homeowner in July and had notified him that he needed to remove all the material, because at the time C. Lynch was not aware of the deck or the fill, but got more information about it as time went on, he was told to remove it (the material on town owned land) but it did not happen, over the last few months it has been busy trying to coordinate with the Engineering Division to have them come out to see the property line, so that they could tell for sure that this is the property line and they have encroached "x" amount of feet over, which has not been able to happen until a little time after July. D. Pearson asked if it was staked to be able to tell which is his land and what is not. C. Lynch stated that there is a rock wall that runs along all the houses back there and when he did a site visit with someone from the Engineering Division, they came up with a plan and said that the rock wall is the property line for all these houses that it runs behind and went about 35' back there and beyond that.

D. Pearson asked if the homeowner is the person calling in to the meeting and asked if he was invited to the meeting. C. Lynch stated that the homeowner was sent a letter.

V. Gingrich asked if the caller could unmute and let the Commission know if they are Mr. Thompson (John Thompson, Homeowner of 702 Sandy Lane). There was no response from the caller.

D. Pearson stated that it seems like a fairly extensive violation and asked about the next steps.

C. Lynch stated there are two options; one being they could send another letter informing him to attend the next meeting, he has had an ample amount of time to respond to this one and he has not reached out to the department at all about attending this meeting. Another option could be going into enforcement because a NOV has already been issued. D. Pearson asked if there has been any push back. C. Lynch stated that he has not had contact with the homeowner since that day in July, other than sending these letters, he has not reached out.

D. Pearson stated that he would be for enforcement and then asked the Commissioners if they would like to issue enforcement, V. Licciardi, M. McInnis, and T. Bradley agreed to enforcement. D. Pearson stated that, basically, they are asking with the enforcement order is for him to show up at the next meeting and to have some sort of game plan for addressing the different parts of what was said, the encroachment on town land, the tree cutting, and the fill.

V. Gingrich advised the Commission that the department can type up the enforcement to have him attend the next Conservation Commission meeting, March 2, 2022, to remove materials from the town owned land and within the 100' buffer, he is stockpiling materials within the buffer zone and on town owned land so we can at least have him remove those materials and file a restoration plan by a certain date.

D. Pearson asked if they go with the April 6, 2022 meeting as a deadline and asked if that was okay with everyone, and everyone agreed.

V. Gingrich stated that the department can coordinate with KP Law, Alex Weisheit, who the Commission may remember from some of the hearings from the year before last, he had worked with the Commission, he did the encroachment letter for the town, the department will work with them to make sure there is no contradicting one another. D. Pearson stated that they will need to vote on the enforcement order. V. Gingrich stated that the Commission can do that, they will also have to ratify the enforcement order after it is sent out. D. Pearson asked what they will be voting on tonight. V. Gingrich stated that they are voting on issuing enforcement. D. Pearson asked if the ratification would be the document sent out by V. Gingrich. V. Gingrich confirmed.

Upon motion duly made by M. McInnis and seconded by V. Licciardi, it was

VOTED: To issue the Enforcement Order to the property known as 702 Sandy Lane – Map 106 Parcel 124 – for encroachment on town land, tree cutting on the property, grading, and possibly unpermitted structures. The Commission is looking for a restoration plan and a filing.

Lord's Tree Service – Update

D. Pearson asked about the agreement between the staff and Mr. Lord (Edward Lord of Lord's Tree Service) to discuss the process for removing trees, describing the administrative process and the processes that would require the Commission to act as well as the timing, asked for clarification.

C. Lynch stated that is true and that this was an interesting one. The department had not heard anything from E. Lord since the previous meeting, but today C. Lynch gave Lord's Tree Service a call to ask what their plans were, and it seemed like he was willing to come talk but then he kind of changed gears at the last minute when he found out that masks were required in Town Hall. Stated that he refused to come in and have a conversation and then he hung up.

D. Pearson asked if he is a warm weather, outdoor conversationalist. C. Lynch stated that he believes so, but being a NOV, he should come to us with all the materials in Town Hall, does not believe we should be catering to his schedule.

D. Pearson stated that a question would be if this conversation/discussion/working session, does not take place, asked what the consequences are.

C. Lynch stated that when he first talked to DEP about it, they suggested, right away, that the Commission go to enforcement with them, but that could not be done because a NOV has to be issued first. That was their pretty strong stance on it at the time but the department has to issue the violation before that can be done. That is one option, asked if anyone else had other ideas.

D. Pearson asked if they do go down that route, what is the remediation, what is the corrective action and what are they looking for.

C. Lynch stated they suggested working with them, could send them drafts and DEP could look it over and help us along that way. The person in charge of enforcement could help with guidance and help the department and Commission understand what is reasonable, what is not, what has been done in the past, that could be a potential idea.

D. Pearson asked if it would make sense to send a follow up letter to E. Lord saying that cooperating isn't really optional that he has to engage, but we would need to be careful around the parameters of that letter. Asked if there should be another conversation with DEP to get more specific about the action to take and then decide about what to say in a letter to E. Lord about accepting the mask mandate, as a violator he wouldn't get to choose.

C. Lynch stated that could also be an option, he could reach out to the enforcement side of DEP and get their opinion on it because it is a very odd situation, and realistically one that could be reasonably solved pretty fast.

M. McInnis asked if it is incumbent upon the contractors to be aware of the Commissions policies before they cut down any trees and if it is, asked if there is a way they are communicating that. Stated that, for example, let's say someone from Wilmington thinks "Lord's is going to get in trouble, I'm going to hire someone from New Hampshire".

C. Lynch stated that he thinks the reason we got into this situation in the first place is the tree companies don't necessarily need to have that background, but he has been in contact with Lord's Tree Service on many occasions, informing multiple employees in their company, including their owner, about the violations and what needs to be done before a tree can be cut down in the buffer zone, that is the reason we are at this point, not necessarily picking on one company, it has just been the repeated actions of them.

D. Pearson asked if C. Lynch has a good audit trail, so that when it comes time to tell E. Lord, that we have spoken with him on specific dates and have asked him, in the meeting, to come a month later and talk with staff, so that we can put together some kind of roadmap to state what we have attempted to do with E. Lord and we have not been successful, so we are moving to the next step.

C. Lynch stated that all he has now are the letters that have been sent and the phone call today, because all the previous conversations are when he does a site visit, stops the work, they talk, and then they continue their work. Stated that there hasn't been a formal setting up of a meeting so there are no real traces. Stated that the department does have NOV's done on properties they have worked on, so he can go back and compile the total number of violations they've done in town, that's the only real thing to go back on.

D. Pearson asked if they do the same for other tree companies who have done work, just so it doesn't look like the Commission is zeroing in on them, asked if it would be obvious if they are really pulling the majority of the violations.

C. Lynch stated that it is mostly Lord's Tree Service, here and there the department may get one or two other companies, or a homeowner doing it themselves, but a vast majority have been Lord's Tree Service. Stated that a lot of other tree companies do call and get their clients to go, which is when administrative approvals come in, a majority of the time that is what they are. But the majority of the NOV's, the year and half he has been here, it has been Lord's Tree Service.

D. Pearson asked if waiting till March should be the next formal step since the Commission and department are unsure of the enforcement action that DEP is going to suggest. Maybe if C. Lynch could pull everything together for the March 2 meeting, suggested C. Lynch to reach out and tell E. Lord what the Commission is thinking of doing and to let him know that it will be asked for him to meet face to face.

C. Lynch stated that, in the meantime, he can talk to DEP and get their thoughts on the situation.

V. Licciardi stated that if C. Lynch sees E. Lord near wetland areas and he is cutting trees, issue a cease-and-desist order, and if he doesn't stop, get the police and have him arrested, that is what needs to be done.

C. Lynch stated that is what DEP actually suggested in the meantime till the Commission and department figures out something, if he is seen near the wetlands to call the police and have them make him stop because he is not going to listen.

D. Pearson asked if that also goes for his employees as well, if it turns out not to be him, rather someone who works for him driving the truck.

C. Lynch stated it is always going to be E. Lord, he's the owner and he's always going to be on every site, from what he has been observing. It would be a cease-and-desist for the work all together, not necessarily one person.

D. Pearson stated that it sounds like a plan.

ADMINISTRATIVE TREE or SHRUB REMOVAL

156 Lake Street – Map 35 Parcel 1A

C. Lynch stated that the homeowner wants to remove two (2) trees, one may be outside of the buffer, he had included it because they were not completely sure on the distance, that one is completely dead. The other is a tall and large pine, it is at a 60-degree angle facing his neighbor's property, not sure how it is still standing, especially after some of the recent windstorms, so that should be removed as well.

55 Andover Street ROW – Map Adj. to 103 Parcel 15

C. Lynch stated that the tree will be taken down by the Reading Municipal Light District. It is a dead tree that is kind of engulfing their wires there.

M. McInnis asked about trees being removed, but in the past, they have talked about trying to partially remove a tree, take down the portion that would cause damage or harm and then leave a portion, asked if they are still addressing that.

C. Lynch stated that they can still address it, maybe it would be better suited for more natural areas, referring to 156 Lake Street, the one leaning towards the house is the only tree in the yard right there.

M. McInnis stated that he trusts C. Lynch's judgement, he is just asking if that is a consideration, he understands the circumstances, not familiar with the locations, but if a tree was taken down and left 30' while cutting 20', and it had holes in it for woodpeckers, maybe leave that portion.

C. Lynch stated that there is another administrative tree removal on the next meeting and that is his plan, the tree being in a natural area, he is planning to leave 10'-15' at the bottom because a majority of it is hanging over his house and dead, so he is going to take off the dangerous part and leave that stump since there are animals in that little area. Can start suggesting that to people, especially in areas like the one mentioned where it would make sense, maybe not in someone's yard, aesthetically speaking, but can start suggesting that.

DISCUSSION

911 Main Street – Map 25 Parcel 4 – DEP File #344-1400 – Construction Schedule

C. Lynch stated that there were a few revisions that were requested with there being a few things wrong with the cover page, the content of the letter was acceptable, but there were a few incorrect things on the cover page that need to be fixed. D. Pearson stated that the desire was to move it along since it has been dragging.

Upcoming election of new Chair and Vice Chair at the April 6, 2022, meeting

D. Pearson stated that he is not sure if anyone is able to volunteer at this moment, but he is ready to take a seat a little farther back from the head of the table for a couple of years, would like to still stay on the Commission, but would like not to Chair it. Did not want it to come up in April when everyone's feet were held to the fire, asked V. Gingrich and C. Lynch about their thoughts on how to proceed.

V. Gingrich stated that is fair, this will be an agenda item on the next few agendas just to continue to remind people. Wants to reach out to members and address how important attendance is and there is also an opportunity coming up to fill his shoes, or at least try to.

D. Pearson stated that it is a good thing to do but stated that it is a good thing for the town to see someone new rather than see the same person all the time. Thinks it is a good opportunity for someone to be doing something different as well.

M. McInnis wanted to circle back to V. Gingrich's statement about the Commission members in this meeting must be present for future meetings. Stated that he is having difficulty making these meetings, never mind being Chair or Vice Chair, and going forward, a commitment saying that he can be at every single one with anything that came up today that had to be addressed is something he cannot commit to. Suggested a phone call with V. Gingrich while calling about candidates for Chair and Vice Chair.

V. Gingrich stated that any of the hearings that were continued tonight, the four Commissioners present, are very important because those votes are needed for those items in the future.

M. McInnis stated that the remote meetings are working better for him, when they start meeting in person again, those will be more difficult for him to attend. Will commit to making himself available to the business at hand but going forward it will be more difficult.

V. Gingrich asked the Commission how they feel about doing Zoom from here on out since it might work better for people. The Commission agreed on remote meetings.

2022 Eversource Vegetation & Maintenance Work of Right(s)-of-Way

V. Gingrich stated that this was just an FYI for the Commission.

MINUTES – January 5, 2022 – The meeting minutes for January 5, 2022, could not be voted on due to a lack of attendance of members who attended the January 5, 2022, meeting.

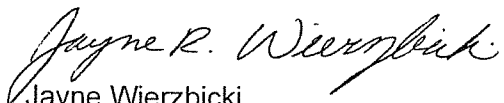
NEXT MEETING – March 2, 2022

ADJOURN

There being no additional business to come before the Conservation Commission, T. Bradley motioned and V. Licciardi seconded, it was

VOTED: By D. Pearson, T. Bradley, V. Licciardi, and M. McInnis to adjourn the meeting at 10:20 pm.

Respectfully submitted,

A handwritten signature in black ink, reading "Jayne R. Wierzbicki". The signature is written in a cursive style with a large, stylized initial "J".

Jayne Wierzbicki
Senior Clerk