

**TOWN OF WILMINGTON****DEPARTMENT OF PLANNING & CONSERVATION**121 GLEN ROAD, WILMINGTON, MA 01897 www.wilmingtonma.gov (978) 658-8238RECEIVED
TOWN CLERK

2023 JUL -6 AM 9:57

CONSERVATION COMMISSION MINUTES

June 7, 2023

Donald Pearson called the meeting to order at 7:04 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/85863881760?pwd=RGthWWJ6T3ZYR1FJU09nUG1aL2dhUT09> 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: 858 6388 1760 and then enter the following passcode: 872053 if asked. 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.

Donald Pearson, Theron Bradley, William Wierzbicki, Frank Silveira, and Jean Marie Cole were present. Valerie Gingrich, Director of Planning & Conservation, Cameron Lynch, Conservation Agent, and Erika Speight, Conservation Senior Clerk were also present. Vincent Licciardi and Michael McInnis were absent.

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 97 Grove Avenue – Map 34 Parcel 95

Documents: RDA application & materials, received May 23, 2023
"Plot Plan," dated May 19, 2021

Present in Interest: Tara Melchionna, Owner & Applicant

T. Melchionna introduced herself and explained she is proposing to construct a new deck with new footings that will be screened in with a roof, in place of the existing deck which is about 30 years old. She explained the new deck will be going in the same exact location as the existing deck and have the same dimensions. The current deck won't support the roof which is the only reason why she would like to replace the deck completely.

C. Lynch stated the only comment is to install erosion control along the fence line prior to the start of construction.

No comments were made from the Commission.

Upon motion duly made by W. Wierzbicki and seconded by J. Cole, it was unanimously

VOTED: To issue a Negative Three (3) Determination of Applicability for 97 Grove Avenue – Map 34 Parcel 95

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 252 Woburn Street – Map 87 Parcel 13

Documents: RDA application & materials, received May 24, 2023
“Plan of Land,” dated May 21, 2008
“Subsurface Septic Disposal System Replacement,” dated March 30, 2023
Work Description, received May 24, 2023

Present in Interest: Thomas Letellier, Owner & Applicant

T. Letellier introduced himself and explained they are proposing to install a 5' fence that will go around the perimeter of his property in the rear.

C. Lynch stated they will be installing the fence along the 15' no disturb which is already marked off. He added that the homeowner received approval to replace their septic system, which is already completed, so this would be for after-the-fact approval of the septic system as well. He continued to say the septic system is 90' away from BVWs.

T. Bradley asked C. Lynch if the Health Department will coordinate with them in the future to ensure approval is given from the Conservation Commission, prior to replacement of septic systems near the wetlands.

C. Lynch stated he has talked with the Health Department about septic systems being installed or replaced within 100' of BVWs and how they would require approval from the Conservation Commission.

Upon motion duly made by T. Bradley and seconded by F. Silveira, it was unanimously

VOTED: To issue a Negative Three (3) Determination of Applicability for 252 Woburn Street – Map 87 Parcel 13

PUBLIC HEARING – NOTICE OF INTENT – 417 Andover Street – Map R3 Parcel 15 – DEP File #344-1528

Documents: NOI application & materials, received May 17, 2023
“Site Plan,” dated May 15, 2023

Present in Interest: David Romano, Owner & Applicant
Maureen Herald, Norse Environmental Services, Inc., Representative

M. Herald introduced herself and shared her screen. She explained the applicant is proposing to raze an existing single-family dwelling, construct a new single-family dwelling on the existing foundation, and remove the concrete patio and wall to install a block patio. Erosion controls are proposed, and the work is away from the wetland area.

C. Lynch explained there are no comments. A draft Order of Conditions was prepared.

No comments were made by the public.

Upon motion duly made by F. Silveira and seconded by J. Cole, it was unanimously

VOTED: To close the Public Hearing for 417 Andover Street – Map R3 Parcel 15 – DEP File #344-1528

Upon motion duly made by W. Wierzbicki and seconded by F. Silveira, it was unanimously

VOTED: To issue the Order of Conditions for 417 Andover Street – Map R3 Parcel 15 – DEP File #344-1528

PUBLIC HEARING – NOTICE OF INTENT – 1 Pond Street – Map 34 Parcel 151 – DEP File #344-1525

Documents: NOI application & materials, received May 17, 2023
“Site Plan,” dated May 10, 2023
NOI Report, revised May 31, 2023
NOI Filing Amendment Letter, dated May 31, 2023
“Site Plan,” revised May 25, 2023

Present in Interest: David Doherty, Owner & Applicant
Maureen Herald, Norse Environmental Services, Inc., Representative

M. Herald introduced herself and shared her screen. She explained they filed a Notice of Intent (NOI) to raze an enclosed porch and decks, and to construct a two-story addition with two (2) sets of stairs with landings, and utilities within the 100' Buffer Zone of Silver Lake. She explained that she requested to amend the filing to include the dock that is located on the property as well.

C. Lynch explained the only questions staff had were related to the dock. He asked, because it's a floating dock, how is it stored, where is it stored, when is it removed from the lake, and how is it removed. He explained the Commission would like to know more details about the dock itself.

M. Herald stated she spoke with the homeowner, and it is a unique dock because the bottom is a pontoon boat, and the top is decking. They bring it in and out of the water with a trailer at the beginning of the season and at the end of the season. She explained that it is stored at the end of the driveway.

D. Pearson asked if the dock is secured to the bottom of the pond in any way or is it just connected at the edge of the pond.

M. Herald explained it is connected at the edge of the pond and there is one (1) temporary post but it is not permanent.

D. Pearson asked when the dock is removed, is the post also taken out.

M. Herald confirmed.

T. Bradley asked who approves a floating dock on a public waterway.

C. Lynch explained it is a two-step process. They need to gain approval from the Conservation Commission and then go to the state to apply for a license.

T. Bradley asked who the person would be that says no to a floating dock.

C. Lynch stated whoever reviews it first would be the one who has authority to say no. He believes that ultimately if they don't receive a license from the state, he doesn't think it matters what the Commission has to say about it.

W. Wierzbicki asked if the removal of the dock each year needs to be put into the Order of Conditions (OOC).

C. Lynch stated he wrote up a draft OOC and if the Commission was leaning in the direction of approving it, they can discuss adding that as an ongoing condition with set dates for putting it into the water and removing it from the water.

J. Cole asked about the stairs documented on the plan and asked if they are permanent or temporary.

M. Herald answered saying the stairs are permanent.

J. Cole asked if the stairs were approved prior.

M. Herald stated she is unsure of the history of the stairs, but knows that when her client purchased the home, the stairs and the dock were there.

J. Cole stated she would be interested in following up on the stairs as well to make sure the proper approvals are in place. She also asked how the truck loads the floating dock into and out of the water.

M. Herald stated that there is access through the neighbor's property where they essentially put the dock on a trailer since the bottom is a pontoon boat. She explained it is like putting a regular boat into the water.

J. Cole suggested that there be a permanent easement put in place so that the neighbor consistently allows access. She stated the dock looks like it is placed on the boundary of the beach, and asked if that is accurate.

M. Herald answered saying it is placed next to the existing wall. She displayed a photo of the dock and explained when the water is a little low, there is a little bit of a beach there, but she doesn't believe it's there 100% of the year.

D. Pearson stated he gathers that the dock has been there for quite a while and the approval for it just came up.

M. Herald confirmed. She stated that when her client purchased the property, it included the dock and the boat. She continued saying that when he wanted to do this proposed work, it was suggested by the town staff that the dock be included to keep all permits up to date and valid.

J. Cole asked when the applicant purchased the property.

M. Herald stated November of 2020 was when her client purchased the home, but the house was built in 1945.

J. Cole stated there is a lot of growth within the lake itself and asked C. Lynch if there are any concerns the Commission needs to take into consideration of the disturbance that may occur because of the dock.

C. Lynch stated he doesn't believe so. He thinks that once they go to the state, they'll look at it a little more in depth since they are the ones to issue the license.

D. Pearson asked for clarification by saying if the Commission decided to issue the OOC, that they would be approving the dock as well and in order for the homeowner to make it official, they would have to obtain a license through the state, but if they don't, the dock would have to then be removed.

C. Lynch confirmed.

S. Sullivan stated there isn't supposed to be motorized boats on Silver Lake. She explained it is a Great Pond and the public is supposed to have access to the whole shoreline. She asked what would make the applicant go to the state. Would it be to trust their word or is there a requirement in the OOC that would require them to go to the state.

M. Herald stated that her client has every intention to go to the state and pursue the Chapter 91 license.

D. Pearson asked if it would be reasonable to have a condition that states that the dock must be licensed by the state and if they lose that for any reason, it gives the Commission the ability to have it removed.

C. Lynch stated they can add something along the lines of prior to the start of construction, the applicant must submit to the Commission proof that they filed with the state.

M. Herald stated that is not a problem.

D. Pearson suggested that the dock be put into Silver Lake on or after April 1st and removed from Silver Lake on or before November 1st. He asked the Commission their thoughts.

The Commission approved the dates.

J. Cole asked if it would be reasonable to add to the OOC that if they don't get a permanent easement from the neighbor, that the homeowner consider getting an aluminum dock that can be rolled in and out.

D. Pearson stated he doesn't believe the Commission is requesting they get an easement as part of this process and that he believes it is suitable with the neighbor's permission. If they lose the neighbors permission, it would be their responsibility to determine how to remove and install the dock.

J. Cole asked C. Lynch if that can be written as a condition.

C. Lynch stated he's not sure that the Commission can require something along those lines, he thinks if they end up losing access from the neighbor, it would be something that the homeowner needed to figure out themselves, whether that means pulling it to another neighbor's yard or maybe removing the deck in the back to have access. He stated ultimately it would be their responsibility to determine how to load and unload the dock if that happens.

V. Gingrich stated she agrees with C. Lynch and isn't sure the Commission can require an easement. If they can't remove the dock seasonally, then they would be in violation of the Order. The Commission would then be able to issue enforcement requiring them to remove the dock and if there is no way of

getting it in and out, they would not be able to have it. She stated, as suggested they will have to make sure it's something that they can do and if they can't, the Commission would then have to take action.

D. Pearson advised to add the dates for loading and unloading the dock as April 1st and November 1st and add that the state must issue a license for the dock prior to the start of construction and as an ongoing condition.

Upon motion duly made by W. Wierzbicki and seconded by F. Silveira, it was four (4) in favor (D. Pearson, T. Bradley, W. Wierzbicki, F. Silveira) and one (1) opposed (J. Cole),

VOTED: To close the Public Hearing for 1 Pond Street – Map 34 Parcel 151 – DEP File #344-1525

Upon motion duly made by T. Bradley and seconded by F. Silveira, it was four (4) in favor (D. Pearson, T. Bradley, W. Wierzbicki, F. Silveira) and one (1) opposed (J. Cole),

VOTED: To issue the Order of Conditions for 1 Pond Street – Map 34 Parcel 151 – DEP File #344-1525

PUBLIC HEARING – NOTICE OF INTENT – 79 Nichols Street – Map 35 Parcel 29 – DEP File #344-1527

Documents: NOI application & materials, received May 17, 2023
"40B Comprehensive Permit Baldwin Landing Site Plans," dated April 17, 2023
Stormwater Report, received May 17, 2023
ZBA Memo, dated May 10, 2023
TEC Peer Review No. 1, received May 25, 2023
LEC Peer Review No. 1, received June 6, 2023

Present in Interest: James Mangano, Applicant
Debra Ann Goldberg, Owner
Stephen Sawyer, GM2 Associates, Representative

S. Sawyer introduced himself and shared his screen. He explained there is an active Order of Resource Area Delineation (ORAD) for the property. They are proposing affordable housing and can bypass zoning a little bit since the lots are smaller and do not need to conform with the traditional zoning on the property. He went on to explain there will be a 550' cul-de-sac and they are proposing twelve (12) single-family units for this project. On the plans, he displayed a wetland line running on the east portion, Middlesex canal running along the south portion, and a wetland line running on the western portion. He explained that there is about 2,136 square feet of fill needed to achieve the crossing proposed and they will be providing 1:1 wetland replication required by the state. At the crossing, there is an approximate 5' x 3 ½' deep ditch that had running water in it, so they will be providing a 6' x 2" wide culvert which will be peer reviewed, and he is expecting a response to that. Stormwater controls have been divided into five (5) smaller areas rather than one (1) large pond. The road is crowned with a high point and along Nichols Street, runoff will be directed back towards Nichols Street to a forebay and into a small infiltration basin. Because a few areas were within 50' of BVWs, they will be providing bioretention areas that will flow through a small forebay into a bioretention area providing a water quality recharge and overtop into a standard detention area. He explained that all the homes will be cultec subsurface chambers, so each of the homes will be connected to those structures for infiltrating roof runoff into the ground. The existing grade is 100 to 101 and the road is around 106, so they are proposing a wall as they cross BVWs. He explained they received a peer review as part of the ZBA application and TEC

has provided comments. Right now, they are addressing those and are in the process of making all driveway surfaces on the property impermeable surface to enhance infiltration and maintain natural infiltration on the site to help mitigate peak runoff. He explained the Middlesex Canal Commission would be interested in a trail running along the Middlesex Canal from Jaque's Lane over to Nichols Street and may ask the town staff for permission to achieve that.

C. Lynch stated they will be recommending a peer review for the Notice of Intent (NOI) since it is a significant wetland crossing and would involve wetland filling and replication.

F. Silveira asked if there is any provision for isolating the homes closest to the wetland areas.

S. Sawyer stated they can look at providing markers or fencing at the edge of the cleared area and they are trying to maintain a 15' no disturb around the BVWs.

D. Pearson asked if they will be installing retaining walls since he mentioned the grade change.

S. Sawyer confirmed they are proposing retaining walls with a maximum height of 8'.

D. Pearson asked if there will be a large vertical distance between the house lot, grade, and the wetlands.

S. Sawyer stated they will be grading down to match grade at 15' from the wetland and no walls will be necessary.

W. Wierzbicki asked if there will be town sewer and water.

S. Sawyer confirmed right now it is town water. The proposal currently is to be on town sewer. There's discussions about looking at on-site septic. It may be difficult since they'd have to change from single-family units to multi-family units. Right now, they have a combined pump station, but they are looking at segregating it to low-pressure sewerage, so each home would have their own grinder pump routed down Nichols Street, Shawsheen Avenue, and then tie into the town sewer on Lake Street.

D. Pearson asked about snow storage.

S. Sawyer explained they will be plowing; however, further discussion is needed on what to do at the wall crossing. He will look into snow storage and provide more detail at the next hearing.

G. DePalma commented from the public and asked for clarification on the size of the sewer line. He also asked by running the line down to the project, would any residents have the right to tie into the line.

S. Sawyer answered saying for this number of units, 2 ½" to 3". He explained if a resident would like to connect, that would be up to the town.

G. DePalma asked when the project is completed, would the responsibility of the sewer line be turned over to the town.

S. Sawyer answered saying that would be left up to negotiations or as they run through the permit on a ZBA level, it would have to be discussed through that process.

G. DePalma asked for clarification that there are discussions going on with the Middlesex Canal Commission.

S. Sawyer confirmed and stated it would be for having a trail from Jaque's Lane to Nichols Street along the canal.

G. DePalma asked if it was taken into consideration what they'd be doing to abutter's properties with the change in grade and by pushing more water to their properties.

S. Sawyer stated the project will be peer reviewed to confirm that there will be no impact to the neighbors.

G. DePalma confirmed that it is a 4.6-acre lot, and 1.52 acres are considered buildable.

S. Sawyer stated that sounds right but would have to confirm and look at the numbers.

G. DePalma asked what the appropriate amount of land use they're planning to include is, and the size of the lots.

S. Sawyer stated he believes the lots are about 15,000 square feet each.

S. Sullivan commented from the public and asked about the ditch and if it was identified within the ORAD.

S. Sawyer stated it is identified as an intermittent stream and is jurisdictional. He explained it is a ditch that was dug to provide drainage from the MBTA property across from this parcel, but is classified as an intermittent stream.

S. Sullivan advised that going forward it be called an intermittent stream rather than a drainage ditch since they are two different things and since the ORAD identified it as an intermittent stream. She mentioned that since it is an intermittent stream and is jurisdictional, that it should meet stream crossing standards.

S. Sawyer explained that it will be designed to meet the stream crossing standards. He stated it will be peer reviewed to ensure that it does comply.

C. Dagli commented from the public and asked about the porous driveway or patios to help with the reclamation and asked for clarification.

S. Sawyer answered saying for the driveways, they can use a paver surface that has gaps between it and rice stone so water bleeds through the blocks and into the ground. He stated more likely it'll be permeable pavement which works very well and readily accepts the water. The patios would be a permeable paver surface.

T. O'Brien commented from the public and asked about the sewerage discussed earlier and wondered when the sewer extension is directed to the town, would the taxpayers be paying for it.

D. Pearson stated that is not within this Commission to discuss.

T. O'Brien mentioned the water pressure at his home is down considerably and with that many new units at the head of Nichols Street, he would like to know how they can assure the existing neighbors won't be affected.

D. Pearson stated that is not within this Commission to discuss but reiterated that his concerns have been heard.

Upon motion duly made by J. Cole and seconded by T. Bradley, it was unanimously

VOTED: To continue the Public Hearing for 79 Nichols Street – Map 35 Parcel 29 – DEP File #344-1527 to the July 5, 2023, Conservation Commission meeting

PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION – 50 Fordham Road – Map 91 Parcel 131A – DEP File #344-1526

Documents: ANRAD application & materials, received May 23, 2023
“Existing Conditions Plan,” dated May 18, 2023

Present in Interest: Andrew Bernstein, Applicant
Anne Garr, Owner
Joseph Orzel, Lucas Environmental, LLC., Representative
Rich O’Connell, RJ O’Connell & Associates

R. O’Connell introduced himself and explained the proposed project will be a battery storage facility. There are wetlands on the property, and they were before the Commission back in 2017, and the intent is to stay out of the wetland, buffer zone, and the jurisdictional areas altogether. He explained that this project has been around for a while and that staff may recommend a peer review, which they don’t see the benefit of since it has been looked at and studied with no changes.

J. Orzel stated the delineation was previously approved through an Order of Conditions (OOC) in 2017 and the wetland line was reestablished by a survey this year. He explained the delineation was reviewed by Lucas Environmental and remains accurate as previously flagged. He stated there are BVWs delineated on the site plans as well as three (3) Isolated Vegetated Wetlands (IVWs) which are non-jurisdictional. One (1) of the IVWs did have evidence of a vernal pool which would be certifiable under the National Heritage guidelines. However, that pool is not large enough to be considered Isolated Land Subject to Flooding, and the calculations were submitted with the filing to demonstrate that, so it remains non-jurisdictional.

C. Lynch explained a peer review is recommended for all ANRAD filings and the Commission only accepts delineations within the last three (3) years. He explained that this ANRAD is not a different circumstance than others.

V. Gingrich stated there are IVWs flagged within this portion of the property and wants to ensure they aren’t connected to the larger wetland. She believes it would be a good idea to have someone look at it and continue with the policy the Commission has been upholding. She stated that a request for quotes were sent out to LEC Environmental Consultants and Rimmer Environmental Consulting, and they are expecting those back on June 16th and will be in touch with that information.

No comments were made by the public.

Upon motion duly made by W. Wierzbicki and seconded by F. Silveira, it was unanimously

VOTED: To continue the Public Hearing for 50 Fordham Road – Map 91 Parcel 131A – DEP File #344-1526 to the July 5, 2023, Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 100 & 104 West Street – Map 71 Parcels 3 & 5 – DEP File #344-1523

Documents: None.

Present in Interest: Derek Santini, Owner & Applicant
Anna Jones, Stantec Consulting, Representative
Theo Kindermans, Stantec Consulting, Representative

A. Jones gave a review of the project to the Commission and stated they are proposing a 40B multi-family building with subsurface parking. She explained when they came before the Commission last month, the main comment was to add demarcation at the 15' no disturb which they are happy to do, and it was added into the draft Order of Conditions (OOC) which they reviewed and are okay with.

C. Lynch stated the draft OOC was sent to the applicant and there are no additional comments.

No comments were made by the public.

Upon motion duly made by F. Silveira and seconded by J. Cole, it was unanimously

VOTED: To close the Public Hearing for 100 & 104 West Street – Map 71 Parcels 3 & 5 – DEP File #344-1523

Upon motion duly made by W. Wierzbicki and seconded by F. Silveira, it was unanimously

VOTED: To issue the Order of Conditions for 100 & 104 West Street – Map 71 Parcels 3 & 5 – DEP File #344-1523

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

Documents: None.

The applicant requested to continue to the July 5, 2023, Conservation Commission meeting.

Upon motion duly made by T. Bradley and seconded by W. Wierzbicki, it was four (4) in favor (D. Pearson, T. Bradley, F. Silveira, W. Wierzbicki) and one (1) abstention (J. Cole),

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 July 5, 2023, Conservation Commission meeting.

CONTINUED PUBLIC HEARING – ABBREV. NOTICE OF RESOURCE AREA DELINEATION – Birch Street, Fir Street, Alder Street, Hall Street, March Road – Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, 11 – DEP File #344-1524

Documents: None.

Present in Interest: None.

The applicant requested to continue to the July 5, 2023, Conservation Commission meeting.

Upon motion duly made by J. Cole and seconded by F. Silveira, it was unanimously

VOTED: To continue the Public Hearing for Birch Street, Fir Street, Alder Street, Hall Street, March Road – Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, 11 – DEP File #344-1524 to the July 5, 2023, Conservation Commission meeting

ENFORCEMENT ORDER

4 Wilton Drive – Map 21 Parcel 3M

C. Lynch explained that he spoke with the homeowner, and he stated that David from Hancock Associates will be coming up with a plan hopefully before the next meeting. C. Lynch continued to say that he will follow up with the surveyor to confirm that will be happening.

6 Hanson Road – Map 57 Parcel 47Q

T. Brady explained that they submitted annotated plans to the Commission that show the approximate area to be restored. He continued to say there will be a post and rail fence placed along the 15' no disturb and they are proposing to install three (3) red maples and eight (8) high bush blueberry plantings. Erosion controls have been installed and the wetland seeding has been mixed. He explained with the Commission's permission, they are hoping to start restoration as soon as possible.

C. Lynch explained there are no comments, and it is up to the Commission whether they believe the restoration plan is sufficient and if so, they can vote to approve it and the homeowner can begin work.

Upon motion duly made by J. Cole and seconded by F. Silveira, it was unanimously

VOTED: To approve the Restoration Plan for 6 Hanson Road – Map 57 Parcel 47Q

10 Pond Street – Map 34 Parcel 146 – DEP File #344-1067

C. Lynch explained that staff hasn't heard anything from the homeowners since they came in months ago saying they were going to submit a restoration plan. The Town Manager had given Town Counsel authorization to file a verified complaint in Superior Court. He stated staff will update the Commission at the next meeting.

52 Adams Street – Map 51 Parcel 99 – DEP File #344-1300

C. Lynch stated he had a conversation with the homeowner a week or two ago and the homeowner mentioned that he was going to get in touch with the surveyor who helped build the home to help with a restoration plan. He continued to say hopefully before the next meeting they will submit a plan for the Commission's review.

773 Salem Street – Map R1 Parcel 23

G. Stratis introduced himself and explained that they have eliminated product on Town-owned land and to the right of the railroad bed as you enter the property. There is more material on the left side that they need to move. He continued to say they are limited with space on the property, and it has been taking them a little longer than expected to move everything. He was hoping to have an extension of when that material needs to be removed. Once everything has been removed, M. Seekamp will put together a revised plan to look at what needs to be done regarding the Buffer Zone. He explained that

he would like to set up a time for C. Lynch to stop by the site, so they are all on the same page about what work needs to be done.

D. Pearson asked how long of an extension would he be looking for.

G. Stratis explained that another 30 days would be great. He continued saying any areas that need restoration could start immediately so no time would be wasted.

D. Pearson asked how much material is left compared to how much material that had already been moved.

G. Stratis stated there is approximately one third of material left to be moved.

V. Gingrich asked if M. Seekamp preformed the delineation of the Riverfront Area and Mean Annual High-water. The reason for asking is because the Enforcement Order (EO) was for materials that were within the Resource Areas and the Riverfront Area not only covers the town parcels, but also covers the state parcel that materials were stored on as well. She explained that is important to know if that area is within the Resource Areas and whether materials need to be moved from that property as well. She is wondering if the delineation and the plan can be completed before the 30 days.

G. Stratis said he will talk with M. Seekamp since he isn't sure what the status of that is.

D. Pearson asked if submitting the materials five (5) business days prior to the next meeting would be appropriate.

G. Stratis stated he will get on it first thing tomorrow and he doesn't see why that can't be done.

All Commissioners are okay with a 30-day extension from this meeting.

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

C. Lynch explained he received an email that J. Mann will be taking over the work and she will be submitting a Notice of Intent (NOI) for the restoration prior to the deadline next Wednesday. He is hoping by the next meeting the Commission will have something to review and vote on.

55 Adams Street – Map 50 Parcel 1A

C. Lynch explained that at the last meeting, the Commission approved the restoration plan. The homeowner has since completed all the work, and everything looks great. He explained that as part of the conditions, they are required to provide monitoring reports during the fall, so the current owner contracted himself with Norse Environmental Services to take care of that for the new homeowner. They wrote a letter to the new homeowner advising them of the restoration work and the monitoring reports that will take place in the fall. If the Commission is okay with the restoration work that was completed and okay with proof of the signed contract from both the current and new homeowners, the Certificate of Compliance (COC) is ready to be issued.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 55 Adams Street – Map 50 Parcel 1A DEP File #344-669

Documents: Request for Certificate of Compliance, received June 1, 2023
"As-built Site Plan," dated June 1, 2023

See Enforcement Order above for 55 Adams Street – Map 50 Parcel 1A.

Upon motion duly made by J. Cole and seconded by F. Silveira, it was unanimously

VOTED: To issue the Certificate of Compliance for 55 Adams Street – Map 50 Parcel 1A – DEP File #344-669

DISCUSSION

687 Main Street – Map 39 Parcel 11A – DEP File #344-1473

C. Lynch explained that no work has been done and nothing has happened on the site. He explained they were making progress however it seemed to come to a complete stop within the last few months. Town staff would like to talk about issuing an Enforcement Order (EO) with Town Counsel since it is a unique situation. He asked the Commission if they have any thoughts on a deadline.

V. Gingrich mentioned that staff thought it would be fair to give them until the end of the year.

D. Pearson asked if the Commission were to approve a deadline of the end of the year, what kind of reckoning should they expect and asked if there is a way that they can build in some kind of project expectations so that they don't start doing work and then stray from completion because of certain obstacles.

V. Gingrich stated they paved the parking area and are using it, and that's what staff would like to talk with Town Counsel about. She explained that they finished the part that's benefitting them, and they haven't finished the stormwater that takes care of the runoff from that pavement in the back. She stated the Commission can require that they have all the earth work done by the fall and plantings done by November 1st. She explained that's what she would like to talk with Town Counsel about and find out how that may work. She will update the Commission at the next meeting.

ELECTION OF CHAIR AND VICE CHAIR

Upon motion duly made by W. Wierzbicki and seconded by J. Cole,

D. Pearson, T. Bradley, W. Wierzbicki, F. Silveira, and J. Cole voted to elect D. Pearson as the chair for the next year.

Upon motion duly made by D. Pearson and seconded by T. Bradley,

D. Pearson, T. Bradley, W. Wierzbicki, F. Silveira, and J. Cole voted to elect J. Cole as the vice chair for the next year.

MINUTES – May 3, 2023

Upon motion duly made by J. Cole and seconded by T. Bradley,

D. Pearson, T. Bradley, W. Wierzbicki, F. Silveira, and J. Cole voted 5-0 to accept the minutes for the May 3, 2023, Conservation Commission meeting.

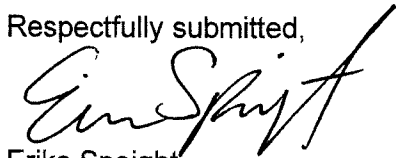
NEXT MEETING – July 5, 2023

ADJOURN

There being no additional business to come before the Conservation Commission, J. Cole motioned and F. Silveira seconded, it was

VOTED: By D. Pearson, T. Bradley, W. Wierzbicki, F. Silveira, and J. Cole to adjourn the meeting at 8:57 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Erika Speight", written over a horizontal line.

Erika Speight
Senior Clerk