



TOWN of WILMINGTON
DEPARTMENT OF PLANNING & CONSERVATION
 121 GLEN ROAD, WILMINGTON, MA 01887 www.wilmingtonma.gov (978) 658-8238

CONSERVATION COMMISSION MINUTES
 February 5, 2020

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 2020 MAR - 5 AM 10:41
 TOWN OF WILMINGTON, MA

Donald Pearson called the meeting to order at 7:01 p.m. Laura T. deWahl, Alexander Rittershaus, Theron Bradley, Michael McInnis and Vincent Licciardi were present. Valerie Gingrich, Director of Planning & Conservation, and Catherine Pepe, Senior Clerk of Planning & Conservation were also present.

CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 635 Main Street – Map 40 Parcel 1 – DEP File #344-1432

Documents: Letter from Luke Fabbri, Geological Field Services, Inc., test pit results, dated August 23, 2019, received January 8, 2020
 Email from Luke Fabbri, Geological Field Services, Inc., debris removal methods, dated January 8, 2020
 Letter from Williams & Sparages, response to Engineering comments, dated January 14, 2020
 Letter from Williams & Sparages, response to Planning & Conservation comments, dated January 15, 2020
 "635 Main Street" plan set, 15 pages, dated February 4, 2020

Present in Interest: Jon Tilton, Williams & Sparages Engineering
 Jacqueline Welch, Massachusetts Equity Investors

J. Tilton advised that they have reviewed the draft Order of Conditions and do not have any questions or concerns. He will provide the revisions as stated in the draft Order of Conditions and meet with V. Gingrich prior to beginning the project.

V. Gingrich confirmed that most of the requested changes were made to the plans. Additional changes needed include changing one (1) of the plant species to a native species which is addressed in the draft Order of Conditions. She stated that other items in the draft Order of Conditions included allowing the retaining wall along the Bordering Vegetated Wetlands to serve as the demarcation fence, and the 50' commercial setback will be met except as shown on the approved plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 635 Main Street – Map 40 Parcel 1 - DEP File #344-1432

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 635 Main Street – Map 40 Parcel 1 – DEP File #344-1432

PUBLIC HEARING – NOTICE OF INTENT – 10 Fernbanks Road – Map 15 Parcel 107 – DEP File #344-1450

Documents: Notice of Intent, received January 21, 2020
"Site Plan", dated December 10, 2019
"Site Plan" dated January 28, 2020
Memorandum from Town of Wilmington, Engineering Division, dated February 4, 2020
"Site Plan", dated February 3, 2020

Present in Interest: Luke Roy, LJR Engineering, Inc.
Michelle Bortone, applicant
Steve Wright, S.E. Wright Company

L. Roy presented the proposed porch, addition, and walkway to the existing single family dwelling. The addition will be constructed off the left rear corner of the existing dwelling into the back yard. The proposed addition will be 39' from the wetlands and the proposed front porch 35' from the wetlands. The proposed area for the addition is currently maintained lawn. A proposed walkway will connect the existing front walkway to the addition. The subsurface infiltration system will be installed on the side of the addition to handle the roof runoff. Grading will be minor around the addition. L. Roy asked for guidance for the proposed demarcation the Engineering Division mentioned in their memorandum dated February 3, 2020.

V. Gingrich advised that the addition was moved forward slightly and the plan was revised accordingly. V. Gingrich asked L. Roy where the proposed new tree line will be. L. Roy advised that the proposed tree line would be along the limit of work and advised there is no tree clearing proposed beyond the 25' no-disturb setback.

D. Pearson suggested a line of shrubs along the 25' no-disturb setback. S. Wright raised a concern that the shrubs may not survive as it is a wooded area and lacks sunlight. He suggested using boulders for demarcation. The Commission agreed to boulders approximately 5' apart along approximately 75' of the limit of work to the left and rear of the proposed addition.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 10 Fernbanks Road – Map 15 Parcel 107 – DEP File #344-1450

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 10 Fernbanks Road – Map 15 Parcel 107 – DEP File #344-1450

PUBLIC HEARING – NOTICE OF INTENT – 95 McDonald Road – Map R2 Parcel 39 – DEP File #344-????

Documents: Notice of Intent, received January 22, 2020
"Sanitary Disposal System" plan, 2 pages, dated January 16, 2020
Memorandum from Town of Wilmington, Engineering Division, dated February 4, 2020

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

E. Wallis presented the proposed construction of a single family dwelling. Part of the grading and part of the proposed dwelling will be within the 100' buffer zone. Part of the dwelling will be about 65' from the wetlands with the septic system completely outside the 100' buffer zone. There is a conservation easement at the 30' buffer zone. The proposed driveway will be pervious and a temporary crushed stone construction entrance for the initial phase of the construction.

V. Gingrich advised that the Engineering Division's comments included the need for a stone construction entrance and to refresh the existing erosion controls. E. Wallis advised that the plan will be revised to show the refreshed and/or new erosion controls and a post and rail fence at the edge of construction.

E. Wallis advised that the Department of Environmental Protection has not issued a file number yet and would like to continue the Public Hearing for 95 McDonald Road to the March 4, 2020 Conservation Commission meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 95 McDonald Road – Map R2 Parcel 39 – DEP File #344- ???? until the March 4, 2020 Conservation Commission meeting.

PUBLIC HEARING – NOTICE OF INTENT – 168 Lowell Street – Map 58 Parcel 1 – DEP File #344-????

Documents: Notice of Intent, received January 22, 2020
"Site Development Plan", 10 pages, dated January 6, 2020
Stormwater Management & Erosion Control Plan, dated January 6, 2020
"Existing Conditions Drainage" plan, 2 pages, dated January 6, 2020
Letter from Valerie Gingrich, Planning & Conservation Department, dated January 30, 2020
Memorandum from Town of Wilmington, Engineering Division, dated February 4, 2020
"Grading Plan", dated January 6, 2020

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

M. Herald presented the proposed construction of a seven (7) building, thirty-six (36) unit condominium development with a private driveway. There is a current Order of Resource Area Delineation that determined the wetland resource areas on the property. Some of the buildings, driveway, walkways, patios, decks, parking, drainage, landscaping, and site work fall within the 100' buffer zone. Half of the proposed driveway will be pervious and the remainder will be the traditional asphalt paving. A subsurface detention pond, storm sceptors, infiltration trenches along the driveways, and a rooftop infiltration system will be constructed on the site.

The proposed development will average about 40' from the wetlands and not meet the 50' setback. D. Pearson asked why the development could not meet the 50' setback. M. Herald advised that meeting the 50' setback could eliminate the construction of two (2) buildings in the development and the applicant is requesting a waiver from the 50' setback.

V. Gingrich reviewed the following Engineering Division's and Planning and Conservation Department's comments: the kind and placement of demarcation that should be installed, the landscaping plan

should show native species in the buffer zone, if not on the entire site, and using silt fence for erosion controls instead of straw wattles.

V. Licciardi asked about snow storage and removal as the proposed area is insufficient to store large amounts of snow. M. Herald will ask the engineer to address that. V. Licciardi would like to see a guard rail type of demarcation fence and asked about trash removal. M. Herald advised that trash will be placed in proper containers for curbside pick-up by a private contractor.

T. Bradley would like to see the buildings stay out of the 50' setback. V. Gingrich asked if each condominium unit would have private yard space or if the entire area would be common and maintained by a landscaping firm. M. Herald will confirm this with the developer. D. Pearson asked if the project could be re-configured to place all the buildings in the center of the property with the driveway going around the buildings to keep the buildings out of the 50' setback.

V. Gingrich advised that the Wilmington Inclusionary Zoning By-law requires 15% (or 5 units) of this development be affordable. She stated that the style of the units may have to change if the two (2) buildings are moved. V. Gingrich also advised that pervious pavement cannot be used within the 50' setback as infiltration BMP within 50' of the wetlands is not allowed.

The Commission agreed that they would like the applicant to move the project out of the 50' setback. L. deWahl suggested shortening the driveways on the buildings on the left side of the project, everything to the left, and move the other buildings further away from the wetlands.

M. Herald asked if the Commission would like a specific type of demarcation at the limit of work. L. deWahl advised that the typical language is a fence or boulders. V. Gingrich suggested moving the demarcation fence to take it out of the 15' setback to allow more of a buffer between the demarcation and the wetlands and the Commission agreed.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 168 Lowell Street – Map 58 Parcel 1 – DEP File #344-???? To the March 4, 2020 Conservation Commission meeting

CONTINUED REQUEST FOR CERTIFICATE OF COMPLIANCE – 300 (298R) Salem Street – Map 97 Parcels 59B & 59C – DEP File #344-615

Documents: Request for Certificate of Compliance, received November 20, 2019
Letter from Summit Engineering & Survey, Inc., dated November 20, 2019
"Asbuilt Plan", dated November 20, 2019
Email from Holly Moore, Chakalos & Associates, LLC requesting to continue to the January 8, 2020 Conservation Commission meeting, dated December 2, 2019
Email from Holly Moore, Chakalos & Associates, LLC requesting to continue to the February 5, 2020 Conservation Commission meeting, dated January 3, 2020
Letter from Summit Engineering & Survey, Inc., dated January 20, 2020
"Asbuilt" plan dated January 20, 2020

V. Gingrich advised that the fence has been moved and that all conditions have been met.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a partial Certificate of Compliance for 300 Salem Street – Map 97 Parcels 59B & 59C – DEP File #344-615

**REQUEST FOR CERTIFICATE OF COMPLIANCE – 40 – 50 Fordham Road – Maps 91 & 99
Parcels 131 & 131A/1 – DEP File #344-1354**

Documents: Request for Certificate of Compliance, received January 22, 2020
“As-Built” plan, 2 pages, dated January 13, 2020
ENGINEERING COMMENT
Letter from Richard O’Connell, RJ O’Connell, requesting to continue to the April 1, 2020 Conservation Commission meeting.

V. Gingrich advised that R. O’Connell of RJ O’Connell requested to table the Request for Certificate of Compliance for 40 – 50 Fordham Road, Maps 91 & 99 Parcels 131 & 131A/1 – DEP File #344-1354 until the April 1, 2020 Conservation Commission meeting. The applicant will address the Engineering Division’s comments in time for the April 1, 2020 meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To table the Request for Certificate of Compliance for 40 – 50 Fordham Road – Maps 91 & 99 Parcels 131 & 131A/1 – DEP File #344-1354 until the April 1, 2020 Conservation Commission meeting

**EXTENSION PERMIT FOR ORDER OF CONDITIONS – Green Meadow Drive – Maps 2/3 Parcels
201-206, 223-225, 207-222 – DEP File #344-1322**

Documents: Letter from Joseph Langone, Duffer Realty Trust, dated January 23, 2020

Present in Interest: Joseph Langone, Duffer Realty Trust

V. Gingrich advised that the developers of Green Meadow Drive have requested an extension to the Order of Conditions until May 8, 2021. The development is 80% complete and the extension until May 8, 2021 is a reasonable request.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the Extension Permit for Orders of Conditions for Green Meadow Drive – Maps 2/3 Parcels 201-206, 223-225, 207-222 – DEP File #344-1322 until May 8, 2021

DISCUSSION

Administrative Tree Approval - 10 Sheridan Road – Map 94 Parcel 19 – The homeowners applied to remove three (3) dead pine trees down that are surrounded by living trees from their backyard that are within the 100’ buffer zone of the existing wetlands across the street. After a site visit, V. Gingrich approved the request.

Donation of Land – Map R2 Parcel 11 – V. Gingrich advised that there is a proposal to donate a 66 acre parcel of land to the Town of Wilmington as open space Conservation land. The parcel is in the northern part of town and bordered by Route 93, railroad tracks and is adjacent to two (2) conservation parcels off of Arlene Avenue. The parcel does not have access for potential development and consists mostly of wetlands but does have some upland areas. The donation is not ready yet as paperwork is still being reviewed.

Town of Wilmington 5-year Vegetation Management Plan & Yearly Operational Plan – V. Gingrich asked the Commission to review the plan and offer any comments to either Jamie Magaldi, the Operations Manager for DPW, or to contact the Planning and Conservation Department.

MINUTES – January 8, 2020

Upon motion duly made and seconded, it was unanimously

VOTED: To accept the minutes for the January 8, 2020 Conservation Commission meeting with one (1) modification.

NEXT MEETING – March 4, 2020

ADJOURN

There being no additional business to come before the Conservation Commission, it was

VOTED: To adjourn the meeting at 8:11 pm.

Respectfully submitted,

Catherine A. Pepe
Senior Clerk