



**TOWN OF WILMINGTON  
121 GLEN ROAD  
WILMINGTON, MA 01887**

PLANNING and CONSERVATION  
DEPARTMENT

(978) 658-8238  
[www.wilmingtonma.gov](http://www.wilmingtonma.gov)

**CONSERVATION COMMISSION MINUTES  
May 3, 2017**

Julie Flynn, Chair, called the meeting to order at 7:01 p.m. Laurie Finne, Vincent Licciardi, Donald Pearson, Theron Bradley, and Michael McInnis were present. Sharon Kelley-Parrella was absent. Winifred McGowan, Assistant Director of Planning and Conservation, and Cathy Pepe, Senior Clerk of Planning and Conservation, were also present.

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
10 Elwood Road – Map 8 Parcel 78**

Documents: Plot Plan of Land, revision undated  
Plan of Land, revision undated  
Drawing of Proposed Sunroom, undated

Present in Interest: James and Julie Aurilio, owners

James Aurilio wants to enclose 16'x18' of the existing 16'x24' deck for a sunroom. The existing deck has two (2) sets of stairs and one (1) set would be removed. J. Aurilio said no additional footings are needed and the 8-10" deep gravel area extends well beyond the existing deck.

M. McInnis asked about gutters. J. Aurilio stated that there would be one (1) gutter that will go into the gravel area under the deck.

Upon motion duly made and seconded, with one (1) abstention, it was

VOTED: To issue a negative Determination of Applicability for 10 Elwood Road –  
Map 8 Parcel 78

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
128 Glen Road - Map 55 Parcel 1**

Documents: As-Built Plan, dated 9/16/16, no revision date  
Drawings of Proposed Second Floor Addition, undated

Present in Interest: Denise & Michael Abell, owners

D. Abell explained that they want to add a second story to an existing single story addition. No excavation is required as the footprint will remain the same.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 128 Glen Road – Map 55 Parcel 1

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY – 23 Concord Street – Map 77 Parcel 11H**

Documents: Sketch of Work Area, dated 3/30/17

Present in Interest: Andrew Burek, The Richmond Company, Inc.

A. Burek explained that they had removed mature trees and found out after the fact that they needed to file for a wetland permit. All of the clearing has been done with some spots requiring minor stumping. The area will be used for additional on-site parking and may require additional fencing to be installed. Gravel will be used for a parking surface so it will not add impervious area.

W. McGowan asked the applicant if the filing was for tree removal only and A. Burek said yes. W. McGowan said that any other work will require an additional application to the Conservation Commission and possibly to the Planning Board.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 23 Concord Street – Map 77 Parcel 11H

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY – 249 Middlesex Avenue – Map 65 Parcel 15A**

Documents: Addition: Dining Room Plans, dated 12/23/16  
Plot Plan, dated 2/20/17  
Memorandum, Paul Alunni, Town Engineer, dated 5/1/17

Present in Interest: Robert and Cathy Woods, owners

R. Woods presented his request to add a 14'x15'6" dining room addition and a 12'x20' deck off of the new addition. R. Woods mentioned that Greg Saab of ESS, is the engineer for this project and would specify where to place the erosion controls and would design an infiltration system if required by the Conservation Commission.

W. McGowan mentioned that erosion controls and infiltration will be needed. J. Flynn stated that a drip edge would work and asked that the engineer provide an erosion control proposal.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 249 Middlesex Avenue – Map 65 Parcel 15A

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
65 Taplin Avenue – Map 44 Parcel 69**

Documents: Site Plan, dated 4/17/17  
Revised Site Plan, dated 4/17/17, revision undated

Present in Interest: Robert Peterson, P&G Realty Trust

Laurie Finne recused herself.

R. Peterson proposes to raze an existing house then build a new home with infiltration systems for roof and driveway runoff on the 12,013 square foot lot. The wetlands are off the property and the proposed work does not require additional clearing; there will be no wetland disturbance. R. Peterson switched the walk to a pervious material to decrease the impervious area and avoid the need for a special permit. A post and rail demarcation fence will be installed along the existing tree line at the rear of the property.

W. McGowan said that the Town Engineer had comments relating to the stormwater. W. McGowan asked if the applicant would remove the existing debris on Town conservation land behind the property and place a yard waste bin on site. R. Peterson agreed to both.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 65 Taplin Avenue – Map 44 Parcel 69

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
15 Industrial Way – Map 46 Parcel 101**

Documents: Layout & Materials Plan, dated 4/4/17  
Grading and Drainage Plan, dated 4/4/17  
Detailed Grading & Drainage Plan, dated 4/4/17  
Approximate Wetlands Exhibit, dated 4/19/17  
Memorandum from Paul Alunni, Town Engineer, dated 5/1/17

Present in Interest: Ryan Bianchetto, Allen & Major Assoc., Inc.

Paul Richardson, representative for 3 1W LLC

R. Bianchetto presented the improvements to the site: remove some of the existing pavement and landscape, improve the stormwater system, and re-pave and re-stripe the remainder of the parking lot. There is a drainage easement with wetlands along the Presidential Way side of the property. No work will be done in the wetlands, but some of the work for the two (2) new concrete drive up ramps will be done within the buffer zone. No additional impervious area will be added.

W. McGowan summarized Engineering's comments and asked the applicant to address Engineering's swale and landscaping concerns. If changes are proposed to the drainage system, the applicant must present those changes for approval. W. McGowan suggested placing erosion controls at the outlet of the southwestern pipe and at the existing catch basins during construction. R. Bianchetto suggested a gravel berm be used so it can be moved as needed during construction.

W. McGowan noted that the swale along Woburn Street could be called an intermittent stream, but by definition, is not jurisdictional since there is no wetland upstream.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 15 Industrial Way  
– Map 46 Parcel 101

**CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 205R Aldrich Road –  
Map 9 Parcel 54E – DEP File #344-1356**

Documents: Letter from Norse Environmental Services, dated 4/6/17  
Proposed Subsurface Sewage Disposal System Plan, revised 4/14/17  
Memorandum from Paul Alunni, Town Engineer, dated 5/1/17  
Email from ESS, dated 5/2/17

Present in Interest: Greg Saab, ESS  
Michael Newhouse, Michael J. Newhouse & Associates, PC

G. Saab explained that roof drain system was moved to the other side of the house, the demarcation line will end near the compost area, and erosion controls were added.

W. McGowan reported that the water line cannot come in through Aldridge Road due to the moratorium on digging newly paved roads. She asked that the excavator leave as many of the trees as possible when installing the water line. She suggested that the Order of Conditions be worded to mark out the limit of work prior to tree cutting and replace any trees they have to remove. G. Saab agreed to meet with Conservation and the excavator to layout the excavation path to minimize impact on

the existing trees. He said all other utilities are overhead and will be brought in from Aldrich Road.

Michael McCoy, Selectman, stated that he feels the area is completely wet. He voted for the zone change that allowed splitting the lots, but had not visited the site. He apologized to the residents and does not understand how a house can be built there.

Robert Paquin, 207 Aldrich Road, Wilmington, opposes building the house because the lot is all wetlands. He is not in favor of cutting the trees as he will lose all privacy and is concerned that the water will drain onto his land. He said it is not the best place to put a house. The wetland flags are incorrect and he claims they were moved. W. McGowan explained that the wetlands were flagged and reviewed under an ANRAD and that the delineation was approved by the Commission.

Michael Faulkingham, 203 Aldrich Road, Wilmington, stated that if a perc test is done now, he feels it will fail. There is a running stream through there.

M. Newhouse stated that the applicant is willing to discuss an easement with the Town for the portion of Aldrich Road that encroaches on the lot. M. Newhouse said he is unsure about replacing the trees due to maintaining the new water line. J. Flynn explained that the trees do not have to be next to the water line, just in the general area for shade. M. Newhouse stated that would be fine.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for 205R Aldrich Road – Map 9 Parcel 54E – DEP File #344-1356

VOTED: To issue an Order of Conditions for 205R Aldrich Road – Map 9 Parcel 54E – DEP File #344-1356

**CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 40-50 Fordham Road – Maps 91/99 Parcels 131, 131A/1 – DEP File #344-1354**

Documents: Memorandum from RJ O'Connell, dated 4/18/17  
E-mail from R. O'Connell, dated 4/27/17  
Groundwater Elev. Exhibit, dated 4/19/17  
Summary of Historical Groundwater Elevations  
Notice of Activity and Use Limitations, dated 7/13/15  
Routing Diagram for Fordham Rd Water Quality Wet Swales  
Drainage Calculations, dated 4/19/17  
Grading & Drainage Plan Blow-Ups #C-2A, dated 4/13/17  
Site Plan for Tenant Improvements, 10 sheets, revised 4/13/17  
Memorandum from Paul Alunni, Town Engineer, dated 5/1/17

Present in Interest: Richard O'Connell, RJ O'Connell & Associates, Inc.

R. O'Connell reviewed the project as presented at the April 2017 meeting. The proposed work will remove about 1 ½ acres of pavement and bring the area closer to current stormwater standards by treating the stormwater and decreasing peak runoff.

W. McGowan summarized the Town Engineer's comments, in particular, lining one bio-retention area and raising it due to the high water table. R. O'Connell stated that a liner will be installed and that the current revisions satisfied Engineering's questions. The seed mix has been changed to a wet tolerant seed mix. W. McGowan asked if the applicant would consider a hood in the catch basins. R. O'Connell questioned the need for a hood at the catch basin next to the building as putting a hood on it would not do anything. R. O'Connell would just remove that catch basin grate behind building 2 and convert it to a drain manhole, though it would not serve any purpose. J. Flynn stated that the current catch basins could remain as is since so little runoff gets to it.

D. Pearson asked about the bio-retention area. R. O'Connell stated that the stormwater will filter into the compost and go into the underdrain which flows to the catch basin. Once the bio-retention area fills over the 1" in volume, water will flow through the beehive grate into the catch basin and out to the wetlands.

R. O'Connell requested changes in the draft Order of Conditions. In particular, #43 to allow the tenant to move into the building while the work is in progress as it will take about a year to complete the work. Also, #51 to allow the swale to be the demarcation line and not a fence. J. Flynn agreed no fence will be needed.

W. McGowan asked that excavated materials be placed on a tarp in case of contamination and R. O'Connell agreed.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for 40-50 Fordham Road – Maps 91/99  
Parcels 131, 131A/1 – DEP File #344-1354

VOTED: To issue an Order of Conditions for 40-50 Fordham Road – Maps 91/99  
Parcels 131, 131A/1 – DEP File #344-1354

**CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 168 Lowell Street – Map 58 Parcel 1 – DEP File #344-1349**

Richard Stuart emailed a request on April 25, 2017 to continue the public hearing for 168 Lowell Street to the June 7, 2017 meeting.

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 #344-1349 until June 7, 2017

**CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 401 Andover Road – Map 3 Parcels 8 & 10 - DEP File #344-1355**

Luke Roy, LJR Engineering, emailed a request on April 26, 2017 to continue the public hearing for 401 Andover Road to the June 7, 2017 meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for 401 Andover Road – Map R3 Parcels 8 & 10 – DEP File #344-1355 until June 7, 2017

**CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 5 Waltham Street – Map 79 Parcel 31G – DEP File #344-1202**

Eugene Sullivan, Eugene T. Sullivan, Inc., emailed a request on April 28, 2017 to continue the public hearing for 5 Waltham Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for 5 Waltham Street – Map 79 Parcel 31G – DEP File #344-1351 until June 7, 2017

**OTHER BUSINESS**

**DISCUSSION – Silver Lake – DEP File #344-1139**

Present in Interest: Kara Sliwoski, Solitude Lake Management  
Jamie Magaldi, Town of Wilmington DPW

J. Magaldi stated that this is the 9<sup>th</sup> year of this project and that Silver Lake has been treated with herbicides five (5) of the eight (8) years. Everyone seems to be pleased with the progress to date.

K. Sliwoski surveyed the area today and didn't see any Eurasian water milfoil, though that doesn't mean it is not there. Curly-leaf pondweed was found, but it was not very dense. Solitude does not plan on chemically treating Silver Lake this season, but will dive and hand pull the milfoil and curly-leaf pondweed over a two (2) day period. Solitude will advise if a lot more milfoil and curly-leaf pondweed are found during hand treatment and if herbicide treatment is needed. If additional treatment is needed Silver Lake will be closed for the day to the public as a safety precaution. J. Magaldi stated that this has successfully been done in the past.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the 2017 hand pulling treatment proposed for Silver Lake

**DISCUSSION – Enforcement Order - Railroad Map 90 Parcel 116 – DEP File #344-1211**

Documents: Restoration Plan, dated 3/24/17  
Restoration Plan, revised 4/20/17

Present in Interest: Corey Kookan, TRC Solutions  
Clary Coutu, Keolis Commuter Services  
Alyssa Noyes, TRC Solutions  
Dean Hazel, Keolis Commuter Services  
John Connors, Keolis Commuter Services

Michael McInnis recused himself.

D. Hazel reviewed today's site visit and the restoration plan for #344-1211. He stated that a permanent power source was connected to the signals and that the track crews are building out track switches that are installed during weekend route outages. They are placing ballast to the appropriate grade south of Route 93. In the restoration area: wetlands were re-flagged, straw wattles installed, and the areas of heavy construction have orange snow fencing. Several tie rails will be removed from the 25' no-disturb area. Debris has been removed from the Route 93 area by hand and taken offsite for disposal. D. Hazel said he reviewed the restoration plan with the construction supervisor so all are aware of the wetlands and the environmental impact. D. Hazel will conduct weekly inspections of wattles and orange snow fencing to ensure procedures are followed. Extra wattles & snow fencing are on site to quickly replace damaged pieces, e.g. unintentionally damaged by construction vehicles.

D. Hazel stated that where possible, planting may start this spring instead of the fall. He will keep us updated on that. Cut branches will be removed by hand from the wetlands. Extra ballast will be removed and the area put back to grade. They will restore the Wetland #10 area with native plantings. C Kookan stated that some of the areas will be supplemented with small shrubs. C. Coutu stated that the correct contractor and nursery needs to be put in place to ensure proper planting of the areas. It is expected to take a few weeks to mobilize this expedited plan. C. Coutu will advise the schedule as soon as everything is in place.

D. Hazel connected some work areas with additional wattles and snow fencing. He looked at areas for replicating the wetlands that were filled in. Further south the buffer area gets narrow and they may plant shrubs to provide extra protection and to buffer the wetlands. The northern end of Wetland #1 they will plant trees to allow it to function as it was pre-construction. TRC has received return receipts from all abutters and is waiting for potential comments/questions from abutters.

R. Bradley asked if Keolis will remove the old railroad ties on the east side of the track. D. Hazel said yes and that the ties on the west side of the track are from



ongoing maintenance and will be removed on a set schedule. The southern edge of Wetland #1 has a pile of ties staged for construction.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the restoration plan for Railroad - Map 90 Parcel 116 – DEP File #344-1211

**REQUEST FOR A MODIFICATION – 142 Grove Avenue - Map 34 Parcel 34 – DEP File #344-1330**

Documents: Letter from DSM Mangano Builders, LLC, dated 4/10/17  
Plot Plan, dated 4/5/17

Present in Interest: John Mangano, DSM Mangano Builders

J. Mangano stated that deck was accidentally built on the wrong side of the house and he thought it is a minor change, not a major change. W. McGowan stated that as long as hazardous materials are not stored under the deck, the impact on the wetland should be similar to the impact of the approved plan.

J. Flynn voiced her concern on the error. R. Bradley questioned if the Commission would have approved the plan if it was originally presented the way it was built. W. McGowan stated that it would not have been approved for that location as there was an alternative location further from the wetland.

V. Licciardi asked if there is a lot of paperwork involved in approving the insignificant change. W. McGowan said a letter is issued, but it does not get recorded at the Registry of Deeds. L. Finne stated that changing the deck now would potentially cause more harm to the wetlands.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request for a modification for 142 Grove Avenue – Map 34 Parcel 34 – DEP File #344-1330

**LAND DONATION – Garden of Eden, Subdivision Open Space – Map 2 Parcel 201 – DEP File #344-1322**

Upon motion duly made and seconded, it was unanimously

VOTED: To accept the donation of the Garden of Eden subdivision open space land – Map 2 Parcel 201 – DEP File #344-1322

**AGENT UPDATE**

50 Fordham Road – Map 91 Parcel 131A - A public meeting is scheduled for May 11, 2017 at the North Reading Town Hall for Phase II Comprehensive Site

Assessment, Phase III Remediation Action Plan, Temporary Solution Statement.  
The public comment period is May 12-31, 2017.

Draft Priority Habitat Map – Comments on the map must be in by June 3, 2017. The Town will comment on the existing roadway behind the DPW building connecting to Abigail's Island (which is used by the Police Department), the gravel road through Town Forest, and part of Andover Street. The Town will ask that these roads be removed from the habitat area, if appropriate, and that the Town be allowed to maintain the roadways.

## **ADJOURN**

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

VOTED: To adjourn the meeting at 9:31 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Catherine A. Pepe', written over a horizontal line.

Catherine A. Pepe  
Senior Clerk