



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

PLANNING & CONSERVATION
DEPARTMENT

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CONSERVATION COMMISSION MINUTES
May 4, 2016

Julie Flynn, Chairman, called the meeting to order at 7:00 p.m., Don Pearson, Vincent Licciardi, Laurie Finne, Sharon Kelley-Parrella and Michael McInnis were present. Winifred McGowan, Assistant Director of Planning and Conservation, was also present.

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY- 4
CLINTON STREET – MAP 8 PARCEL 54**

Documents: Compliance Plan 4 Clinton Street, dated 4/27/2012, no revision date given

Present in interest: Carl Hartford, owner

C. Hartford presented a plan to expand his deck. It will be within 50 feet of the wetlands.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To issue a negative Determination of Applicability for 4 Clinton Street -
Map 8 Parcel 54

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY- 17
PEMBROKE STREET – MAP 16 PARCEL 25A**

Documents: Plot Plan dated 6/18/89, revision date not given

Present in interest: Kevin & Lynn Blanch, owners

K. Blanch presented a plan to remove several trees located within the buffer zone. He feels the trees are damaged and leaning. W. McGowan asked if they would be doing some replanting of the trees. K. Blanch stated that he researched some native types of trees and is open to replanting. The replanting would be on a one to one basis. When he is ready to replant he will find out what is available and present a plan to the Conservation office. There was a discussion on the the larger tree that is uprooted. This will be left as a habitat for wildlife in the wetlands but the trunk will be cut from the root mass so the trunk can drop to the ground. He is going to remove the other trees.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To issue a negative Determination of Applicability for 17 Pembroke Street
– Map 16 Parcel 25A

PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – 381 MIDDLESEX AVENUE – MAP 88 PARCEL 13

Documents: Site Plan 2/6/2095, revision date not given

Present in interest: Michael Elia, Applicant

M. Elia presented a plan to build a concrete pad next to the loading dock for his store. It is located on a paved area on the side of the building. He will remove a wooden structure that overhangs the detention basin. He said the site is picked up weekly. W. McGowan stated that the Order of Conditions #344-511 that was issued to construct the building and stormwater basin has not been closed out. Curbing and a fence still need to be installed. She asked the applicant to provide an Operation and Maintenance plan for the stormwater features, have an As-Built plan created, and file a Request for a Certificate of Compliance. If an Enforcement Order is issued it would allow the work from the prior Order of Conditions to be completed without filing a new Notice of Intent. There was a discussion regarding a concrete block that is crumbling, what it is supporting and if it would need to be repaired. The applicant stated that they would inspect this and report back if repairs are needed.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To issue a negative Determination of Applicability for 381 Middlesex Avenue – Map 88 Parcel 13

VOTED: To issue an Enforcement Order for 381 Middlesex Avenue - Map 88 Parcel 13 – DEP File #344-511

CONTINUED PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY- RAILROAD RIGHT OF WAY

There was a request to continue the public hearing until the June 1, 2016 meeting.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To continue the public meeting for Railroad right of way (to confirm resource areas) until June 1, 2016 at the applicant's request.

PUBLIC HEARING – NOTICE OF INTENT – 142 GROVE AVENUE – MAP 34 PARCEL 34

Documents: Site Plan dated 4/4/2016 last revised 5/3/2016

Present in interest: Greg Saab, ESS Inc.
Steve Erikson, Norse Environmental Services

G. Saab presented a plan to remove a single family dwelling and construct a new single family home with associated site work. He said the applicant had asked the Board of Appeals if he could move the new dwelling forward to have it located further away from the wetlands. The request was denied. The new driveway will be wider with a stone trench infiltration system. A stormwater infiltrator will handle the roof runoff. There was

discussion of alternatives such as moving it to the front of the house or using a bioretention basin and omitting the retaining wall. Invasive Japanese knotweed has taken over an area in the back of the property. S. Eriksen discussed alternatives for controlling the knotweed and said that even a small root can spread the plant and it will spread from the plants on neighboring lots. He has not been successful handpulling the plants and chemicals cannot be used this close to the wetlands. He said he would like the owner to mow lawn to keep the invasive plants at bay. G. Saab agreed to locate the fence on the wetland line and they will plant 4 shrubs in front of it.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To continue the public hearing for 142 Grove Avenue – Map 34 Parcel 34
– DEP File #344-1330 until June 1, 2016 with the applicant's consent.

PUBLIC HEARING – NOTICE OF INTENT – 14R & 14 BOUTWELL STREET – MAP 18 PARCELS 3C, 3A – DEP File #344-1329

Documents: Site Plan at 14R Boutwell Avenue dated 3/28/2016

Present in interest: Greg Saab, ESS, Inc.
Jordan Weiner, owner

G. Saab presented a plan to build a new single family dwelling with the septic system in the front yard. The roof drainage system is located in the backyard; elevations were corrected. It is a hammerhead lot. Erosion controls will be used and are shown on the plan. The fence will be extended along part of the driveway. He does not want to install the demarcation fence all the way to the street. There was a brief discussion regarding the length of the fence. G. Saab stated that the fire department will require them to install a sprinkler system due to the length of the driveway. The abutting homeowner does not want to share a driveway, so a mostly separate driveway will be installed. G. Saab said the owner agreed to move the limit of work to the edge of the isolated wetland. There was a brief discussion of how far they would be disturbing the earth west of the house. Bob Dodge, 11 John Street, asked if the stone wall would be staying in the back of the property. G. Saab confirmed that it will; it marks the property line. W. McGowan suggested G. Saab look at alternatives to the waterline for the new house being within the driveway for the existing house. She asked the applicant to remove the yard waste that was dumped in the wetlands and install a yardwastes area on both properties. The applicant agreed to clean that up, install a composting area, and extend the fence to the existing driveway.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To continue the public hearing for 14R & 14 Boutwell Street – Map 18
Parcels 3C, 3A - DEP File #344-1329

CONTINUED PUBLIC HEARING - NOTICE OF INTENT - 900 SALEM STREET - MAP R1 PARCEL 28 - DEP FILE #344-1326

Documents: Memorandum for Record from EA Engineering Science and Technology dated 4/13/2016

Present in interest: Frank Postma, EA Engineering
Bill Schneider, Benevento Sand and Gravel

F. Postma presented his response to the comments of the Commission and the Town Engineer. He showed the erosion controls and the stockpiling area. He ran additional hydrocad calculations to ensure that the existing stormwater system would be sufficient to handle the increased flow. The new flow is directed to go through the check dams in the existing stormwater swale. The rock is replaced at 1-3 year intervals to remove the trapped sediment.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To close the public hearing for 900 Salem Street – Map R1 Parcel 27A – DEP File #344-1326

VOTED: To issue an Order of Conditions for 900 Salem Street – Map R1 Parcel 27A – DEP File #344-1326

CONTINUED PUBLIC HEARING - NOTICE OF INTENT – NH MAIN LINE MILE POST 16.41 – DEP FILE #344-1327

Documents: Culvert Plan MP16.41 dated 3/7/2016, revision date not given
Letter from David Gorden, PEER Consultants PC, dated 4/20/2016 with attachments
Memo from Paul M. Alunni, Town Engineer, dated 4/29/2016

Present in interest: Dave Gorden, PEER Consultants P.C.

D. Gorden presented responses to the Town Engineer and the Commissioners' concerns. They estimated that 96 cubic feet of flood storage is gained between the 92/93 contour interval, that 263 cubic feet of storage is gained between the 93/94 contour interval and that 439 cubic feet of storage is gained between the 94/95 contour interval. They submitted pre and post hydraulic analysis and the HydroCAD analysis. They revised the plans to show the Right of Way property lines. They extended the riprap apron far enough to reach a stable area of the channel as suggested in the state's Erosion and Sediment Control Guidelines. In this case it means a shorter apron than suggested by the Federal Highway Administration. They provided a $\frac{3}{4}$ stone sieve analysis. W. McGowan stated that the town engineer sent a memo this afternoon. In it he asked for calculations for a hydrologic analysis for a 100-year storm and for sizing the stone and riprap apron, supporting calculations for the increase in velocity resulting from the change from one box culvert to two pipes, and correction of the flood elevation. He listed criteria that the project did not meet to qualify for the Army Corp's 'Self Verification' category and asked the applicant to provide the appropriate documentation for Army Corps to review. M. McInnis asked if these are conservation issues or engineering issues. W. McGowan responded that there are stream crossing standards that the applicant is required to meet as much as possible, that the existing conditions meet the standards more than what is proposed. For the Town, backing up floodwater upstream of the culvert and scouring the river channel are concerns. D. Gorden stated that they made their choices to diminish the impact to the wetlands. He listed alternatives and why they did not choose them. He passed out pictures of Lubbers Brook channel and several inactive, beaver dams

upstream. There was a question of what would happen to flow at the culvert if the beaver dams were gone and flow was less restricted. D. Pearson asked D. Gorden what is stopping him from providing the additional calculations. D. Gorden responded that he received the Town Engineer's comments this afternoon and did not have time. He would like to resolve these issues due to a July construction date. D. Pearson asked that if you were building a new track would you use this design. He stated that they would not, they would have to consider it as a bridge and bridge standards are more stringent. The commission asked the applicant to provide written responses for review.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To continue the public hearing for the NH Main Line Mile Post 16.41 – DEP File #344-1326 to June 1, 2016 with the applicant's consent.

CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 10 BURT ROAD – MAP 30 PARCEL 31 – DEP FILE #344-1328

Documents: Site Plan 10 Burt Road revised 4/22/2016
Letter from Luke Roy dated 4/26/2016

Present in interest: Luke J. Roy, L.J.R. Engineering
Steve Eriksen, Norse Environmental Services
Michael Tkachuk, Applicant
Craig Forester, owner

L. Roy presented a response to the concerns the commission and the town engineer had regarding this project. The driveway will now come around to the left side of the home to lessen the impact to the riverfront area and the disturbance was moved out of the flood zone. They have moved the infiltrators to the front and out of the buffer zone. They updated the grading to accommodate the new design. A fence or boulders will follow the no-disturb line. They have reduced the overall altered area. W. McGowan asked why the grading goes into the right of way and would it lead the storm water to a catch basin in the road. The grading was to prevent the storm water from being blocked from this basin.

Upon motion duly made and seconded, with two abstensions, it was

VOTED: To close the public hearing for 10 Burt Road – Map 30 Parcel 31 - DEP File #344-1328

VOTED: To issue an Order of Conditions for 10 Burt Road – Map 30 Parcel 31 – DEP File #344-1328

CONTINUED PUBLIC HEARING - NOTICE OF INTENT - 196 BALLARDVALE STREET - MAP R2 PARCEL 7E - DEP FILE #344-1325

Documents: Site Development Plans New Retail Plaza, last revised 4/20/2016
Drainage Report revised 4/20/2016
Letter dated 4/20/2016 from Allen & Major Associates Inc. Response to Engineering comments

Present in Interest: Ryan Bianchetto, Allen & Major Associates, Inc.
Paul Kneeland, Applicant

R. Bianchetto presented responses to the comments from the commission and Town Engineer and explained the changes to the plans. Additional test pits were done. They reduced the size of the building. The rear of the site has been pulled back and some utility lines moved so they will not be beneath the proposed retaining wall. In response to comments R. Bianchetto stated that he will move the erosion control line to be downgradient of the utility line work. He said he did not want erosion controls at the existing outfall- it could impede the flow from this system. R. Bianchetto does not want to limit the flow of water off of Ballardvale Street. He will put it up at the construction entrances and the contractor would be responsible for cleaning and maintaining the road during construction.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To close the public hearing for 196 Ballardvale Street – Map R2 Parcel 7C – DEP File #344-1325.

VOTED: To Issue an Order of Conditions for 196 Ballardvale Street – Map R2 Parcel 7C – DEP File #344-1325

DECISION - NOTICE OF INTENT – GARDEN OF EDEN SUBDIVISION, 3, 5, 7, 9-27 GREEN MEADOW DRIVE - MAP 2 PARCELS 201-206, 223-225 - MAP 3 PARCELS 207-222 - DEP FILE #344-1322

Upon motion duly made and seconded, with two abstensions, it was

VOTED: To issue an Order of Conditions for The Garden of Eden Subdivision, 3,5,9,-27 Green Meadow Drive - Map 2 Parcels 201-206, 223-225 - Map 3 Parcels 207-222 - DEP File #344-1322

OTHER BUSINESS

DISCUSSION - TREE CUTTING POLICY

Commission discussed a draft policy and suggested allowing the agent to give an OK to cut trees that were an obvious safety hazard to structures and actively used space, without having to apply for an Enforcement Order and to consider a replacement tree.

CERTIFICATE OF COMPLIANCE – 34 HOBSON AVENUE – MAP 48 PARCEL 12 – DEP FILE #344-1263

This is an Order of Conditions for work that was not started.

Upon motion duly made and seconded, with one abstension, it was

VOTED: To issue a Certificate of Compliance for 34 Hobson Avenue – Map 48 Parcel 12 – DEP File #344-1263

MINUTES – March 2, 2016 and April 6, 2016

Upon motion duly made and seconded, with two abstentions, it was

VOTED: To approve the March 2, 2016 Minutes

There was not a quorum of commissioners present from April to vote on those minutes.

ADJOURN

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

VOTED: To adjourn the meeting at 10:15 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elizabeth Lawrenson". The signature is written in dark ink and is positioned to the right of the "Respectfully submitted," text.

Elizabeth Lawrenson
Senior Clerk