

**TOWN of WILMINGTON**

DEPARTMENT OF PLANNING &amp; CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 [www.wilmingtonma.gov](http://www.wilmingtonma.gov) (978) 658-8238RECEIVED  
TOWN CLERK

2020 AUG 7 PM 3:27

**CONSERVATION COMMISSION MINUTES****June 3, 2020**

Donald Pearson called the meeting to order at 7:08 p.m. and read the following:

"Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, members of the public who wish to watch and listen to the meeting may do so in the following manner: WCTV (Channel 9 – Comcast Xfinity; Channel 37 Verizon Fios, and live stream wctv.org). 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 listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 846-2689-1612 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. All callers using this feature will be placed in queue in the order they entered the prompt. 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."

The following members were in attendance: Donald Pearson, Theron Bradley, Laura deWahl, Vincent Licciardi, Thomas Ollila, and Alexander Rittershaus. Michael McInnis was absent. Valerie Gingrich, Director of Planning & Conservation, and Catherine Pepe, Senior Clerk of Planning & Conservation were also present.

**REQUEST FOR DETERMINATION OF APPLICABILITY – 58 Aldrich Road – Map 19 Parcel 8**

Documents: Request for Determination of Applicability application, received May 20, 2020  
"Plot Plan", dated May 14, 2020

Present in Interest: Shanna Fournier, owner

S. Fournier presented the proposed construction of a 12' x 27.7" addition over an existing roof and installation of an above ground pool with a surrounding deck.

V. Gingrich advised that the project is 37' from the wetlands at the closes point and the pool is proposed in a previously disturbed area. The Engineering Division commented that erosion controls should be installed.

V. Licciardi asked about the pool drainage and filtering system. S. Fournier advised that the type of pool that will be installed does not need drainage and has its own filtering system.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Negative 3 Determination of Applicability for 58 Aldrich Road – Map 19 Parcel 8

**REQUEST FOR DETERMINATION OF APPLICABILITY – 68 Aldrich Road – Map 19 Parcel 11**

Documents: Request for Determination of Applicability application, received May 20, 2020  
“Site Plan”, dated May 18, 2020

Present in Interest: Luke Roy, LJR Engineering, Inc.  
Sharon MacDonald, owner

L. Roy presented the proposed construction of a 26' x 32' addition on the right side of an existing single family dwelling. The proposed addition is outside the 100' buffer zone according to the current wetland line, but there is some question regarding the current wetland line and an older wetland line. An infiltration system is proposed to handle the roof runoff.

V. Gingrich advised that after a site inspection, she agrees with the current wetland line as presented on the submitted “Site Plan”. The infiltration system and erosion controls are adequate.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Negative 1 Determination of Applicability for 68 Aldrich Road – Map 19 Parcel 11

**PUBLIC HEARING – NOTICE OF INTENT – Shady Lane Drive – Map 79 Parcel Road ROW near Parcel 15A – DEP File #344-1461**

Documents: Notice of Intent application, received May 4, 2020  
“Proposed Site Plan Shady Lane Sidewalk Extension”, dated April 28, 2020  
Email Comments from Planning & Conservation Department, dated May 28, 2020  
Letter, Department of Environmental Protection Comments, dated May 30, 2020

Present in Interest: Paul Alunni, Town of Wilmington, Engineering Division

P. Alunni presented the proposed construction of phase two (2) of a three (3)-phase sidewalk construction project. This phase is 1200 linear feet of porous pavement sidewalk proposed to go from Birchwood Road to Whitefield Terrace. About 500 linear feet on both sides of the proposed sidewalk is within 100' of wetlands. In addition, an existing 60-year old double barrel culvert within the scope of the project will be replaced. A catch basin, deep sump with a hood will also be installed and tied into the new culvert. A two-foot high retaining wall is proposed to limit the disturbance along the wetlands. About 28 square feet of wetlands will be permanently altered with a proposed restoration using a native seed mix is proposed.

P. Alunni advised that DEP has remarked on the project and thinks the culvert should be deemed an intermittent stream crossing. The Town's wetland scientist advised that there was no evidence of a stream at the time the flags were delineated. P. Alunni will re-evaluate the area and update the commission at the next meeting. P. Alunni has requested to continue the meeting to the July 1, 2020 Conservation Commission meeting.

V. Gingrich had questions on the erosion controls being so close and how the wall will be built. P. Alunni advised that the wall will be built from the street side which will allow the erosion controls to remain. T. Bradley asked what kind of seed mix. P. Alunni will advise the type of seed mix at the next meeting. T. Ollila asked the schedule for the remaining sidewalk. P. Alunni advised that the last phase of this project is projected to be completed the fall of 2021.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for Shady Lane Drive – Map 79 Parcel Road ROW near Parcel 15A – DEP File #344-1461 to the July 1, 2020 Conservation Commission meeting

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 687 Main Street – Map 31 Parcel 11A – DEP File #344-1451**

Documents: Letter from Attorney John J. McKenna, dated May 28, 2020

V. Gingrich advised that Attorney J. McKenna requested to continue the Public Hearing for Notice of Intent for 687 Main Street to the July 1, 2020 Conservation Commission meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 687 Main Street – Map 31 Parcel 11A – DEP File #344-1451 to the July 1, 2020 Conservation Commission meeting

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 100 Eames Street – Map 38 Parcels 4 & 4C – DEP File #344-1459**

Documents: Email from Patrick McCarty, McCarty Engineering, Inc., dated May 25, 2020  
Email from Thomas Peragallo, LEC Environmental Consultants, Inc., dated May 26, 2020  
Email from Patrick McCarty, McCarty Engineering, Inc., dated May 26, 2020  
Letter from Patrick McCarty, LEC Environmental Consultants, Inc., dated May 27, 2020  
Letter from Patrick McCarty, McCarty Engineering, Inc., dated May 28, 2020  
“Site Plan Review Documents” plan set, 18 pages, dated May 18, 2020

Present in Interest: Patrick McCarty, McCarty Engineering, Inc.  
Jamie Gerrity, owner  
Thomas Peragallo, LEC Environmental Consultants, Inc.  
Attorney Robert Peterson

Attorney R. Peterson advised that the applicant has addressed the Town Engineering Division's, comments relative to stormwater management, has submitted the revisions and are waiting for P. Alunni, Town Engineer, to review them. R. Peterson introduced P. McCarty to present the revisions.

P. McCarty advised that additional wetland resources were identified during a site walk with T. Peragallo of LEC Environmental (the company selected for peer review), Scott Morrision of Eco Tec, Inc., the applicant's wetlands consultant, and himself. As a result, nine (9) wetland flags were added. Two (2) wetland flags to the B series, #B-30A and #B-30B, six (6) flags now connect the B series flags to the D series flags, and one (1) additional flag was added off the property. Dana Perkins, the applicant's engineer, revised the plans accordingly, adding the flags and correcting the setbacks. In

addition, the erosion controls, the limit of work, and the parking lot layout were revised. Stormwater design changes were made based on P. Alunni's comments. A hooded deep sump catch basin and an infiltration system were added to handle the sheet flow from the parking lot, a hooded deep sump catch basin with a smaller infiltration system were added at the loading dock area, and along the back of the building, a piped design with downspouts going to an infiltration basin were added. Some pavement will be removed where a pocket wetland was flagged at the edge of the pavement.

P. McCarty advised that work is proposed in two (2) areas in the 15' no-disturb setback. The first area, about 450 square feet of scrub brush and small trees, is adjacent to flags B-30A and B-30B where grading is necessary to provide an outlet for the proposed pocket wetland. The second area, about 448 square feet, has an earthen berm that previously contained tanks. The tanks were removed and the earthen berm is no longer needed, it will be removed and the area will re-vegetate naturally. The applicant proposed installing pressure treated wood posts with signage every 50' advising of the 15' no-disturb setback. A response to comments letter and a revised set of plans detailing the changes, were submitted to the Town on May 28, 2020.

P. McCarty advised that the existing Building #17 is within the 50' setback. A corner of the proposed building will be 2' closer to the wetlands, but the footprint area of the building within the 50' setback is 57% less than the existing building. Notes about snow disposal, usage of pesticides, planting native species, not using rock salt, the placement of erosion controls, and the 15' no-disturb limit posted every 50' were also added to the revised plans. They will wait for the Engineering Division to complete their review and offer any comments, if any.

T. Peragallo reviewed LEC's peer review report dated May 27, 2020. Most of the delineation was acceptable and the areas that were disputed have been corrected and put on the revised set of plans. T. Peragallo added that the wetlands on the north side of the property were noted in the event it may affect future work on the site.

V. Gingrich advised that the Town's Engineer will review the revised plans and any comments issued will be sent to the applicant in time for the next meeting. P. McCarty requested to continue the meeting to the July 1, 2020 Conservation Commission meeting.

V. Licciardi asked if large boulders could be used for demarcation instead of pressure treated wood posts and signs. L. deWahl agreed with the use of boulders instead of pressure treated wood for demarcation. P. McCarty said boulders will be acceptable for demarcation. T. Bradley asked if native plants and shrubs could be planted in the area where the pavement will be removed. P. McCarty confirmed that native plantings would be used to allow the site to return to a natural state.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 100 Eames Street – Map 38 Parcels 4 & 4C – DEP File #344-1459 to the July 1, 2020 Conservation Commission meeting

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 67 Wildwood Street – Map 63 Parcel 2 – DEP File #344-1460**

Documents: no new documents

Present in Interest: Luke Roy, LJR Engineering, Inc.  
Angela Broussard, applicant

L. Roy reviewed the proposed new home project that includes 22,800 square feet of disturbed area that would trigger a full Stormwater Permit. The plans have been revised to reduce the disturbed area to less than 20,000 square feet so just a Simple Stormwater Permit is needed. The reduction occurs in a front corner and rear corner of the property. A revised drawing will be submitted showing the reduction. L. Roy confirmed that the existing garage, the concrete slab, and any obvious debris in the immediate area of the rear wetlands will be removed by hand. L. Roy would like clarification as to how far back the Commission would like the debris removed, L. Roy proposed about 20-30 feet back into the wetland area as any further will be a major task for hand removal as the 4.5- acre site has many old farm outbuildings.

D. Pearson asked what most of the material is that has to be removed. L. Roy could not confirm. V. Gingrich advised that 20-30' is reasonable and will visit the site as needed during that process. L. Roy stated that Condition #42 regarding the debris removal was the only condition in question. The Commission and L. Roy agreed to remove any visible debris located within 25' of the wetland boundary at the rear of the property be removed by hand.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 67 Wildwood Street – Map 63 Parcel 2 – DEP File #344-1460

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 67 Wildwood Street – Map 63 Parcel 2 – DEP File #344-1460 with the agreed amendment to Condition #42

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 5 Westdale Avenue – Map 73 Parcels 22 & 24 – DEP File #344-1462**

Documents: "Proposed Subsurface Sewage Disposal System Repair Plan", dated May 15, 2020

Present in Interest: Greg Saab, ESS

G. Saab reviewed the additions made to the revised plan. Some of the trees were damaged in a severe wind storm and the builder had them cut for safety reasons. T. Bradley asked if all the trees at the rear of the lot will remain to provide shade. G. Saab advised that all the trees at the rear of the lot will remain. G. Saab advised that the draft Order of Conditions is acceptable.

V. Gingrich advised that all previous comments were addressed with the revised plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 5 Westdale Avenue – Map 73 Parcels 22 & 24 – DEP File #344-1462

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 5 Westdale Avenue – Map 73 Parcels 22 & 24 – DEP File #344-1462

**CONTINUED PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION**

**– 26 Douglas Avenue – Map R2 Parcel 5E - DEP File #344-1444**

Documents: Letter from Steve Eriksen, Norse Environmental Services, Inc., dated May 28, 2020, request to continue

V. Gingrich advised that S. Eriksen of Norse Environmental Services, Inc. requested to continue the Public Hearing for the Abbreviated Notice of Resource Area Delineation for 26 Douglas Avenue until the September 2, 2020 Conservation Commission meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for the Abbreviated Notice of Resource Area Delineation for 26 Douglas Avenue – Map R2 Parcel 5E until the September 2, 2020 Conservation Commission meeting

**CONTINUED PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION – 378-384 Middlesex Avenue & 200 Jefferson Road – Map 89 Parcels 7, 8, 8A, 9, 10, 13A & 13B – DEP File #344-1462**

Documents: Email from Andrew Chaban, Princeton Properties, dated June 3, 2020

V. Gingrich advised that A. Chaban of Princeton Properties requested to continue the Public Hearing for the Abbreviated Notice of Resource Area Delineation for 378 – 384 Middlesex Avenue and 200 Jefferson Road to the June 17, 2020 Conservation Commission meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for the Abbreviated Notice of Resource Area Delineation for 378 – 384 Middlesex Avenue & 200 Jefferson Road – Map 89 Parcels 7, 8, 8A, 9, 10, 13A & 13B – DEP File #344-1462 to the June 17, 2020 Conservation Commission meeting

**REQUEST FOR CERTIFICATE OF COMPLIANCE – 7 Edwards Road & Sherwood Road – Map 8 Parcel 18 – DEP File #344-1419**

Documents: Request for Certificate of Compliance application, received May 7, 2020  
Email from Valerie Gingrich, Department of Planning & Conservation, dated June 1, 2020  
Email from Jonathan Langone, Langone Development Group, dated June 3, 2020, response to comments and request to continue

V. Gingrich advised that J. Langone would like to continue the Request for Certificate of Compliance for 7 Edwards Road & Sherwood Road to the July 1, 2020 Conservation Commission meeting. This will allow him time to address V. Gingrich's comments in the June 1, 2020 email.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Request for Certificate of Compliance for 7 Edwards Road & Sherwood Road – Map 8 Parcel 18 – DEP File #344-1419 to the July 1, 2020 Conservation Commission meeting

**REQUEST FOR CERTIFICATE OF COMPLIANCE – 25 Adams Street – Map 51 Parcel 5A – DEP File #344-1426 – DEP File #344-1426**

Documents: Request for Certificate of Compliance application, received May 4, 2020  
"As-Built Plan", dated January 14, 2020

V. Gingrich advised that all conditions have been met.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for 25 Adams Street – Map 51 Parcel 5A – DEP File #344-1426

**REQUEST FOR CERTIFICATE OF COMPLIANCE – 5 Mary Street – Map 6 Parcel 148B – DEP File #344-1280**

Documents: Letter from Luke Roy, LJR Engineering, Inc., dated May 14, 2020, request for Certificate of Compliance  
"Roadway As-Built Plan & Profile", dated April 30, 2020

V. Gingrich advised that all conditions have been met and the as-built plan matches what is on the site.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for 5 Mary Street – Map 6 Parcel 148B – DEP File #344-1280

**DISCUSSION - ADMINISTRATIVE TREE REMOVAL APPROVAL – 333 Salem Street – Map 96, Parcel 209**

V. Gingrich advised administrative approval was given for the removal of four (4) damaged/decayed trees at 333 Salem Street. The applicant will re-plant trees to replace the four (4) that are being removed.

The owner may want to remove additional trees in the future and was advised to submit a Request for Determination of Applicability if he goes forward with the additional trees.

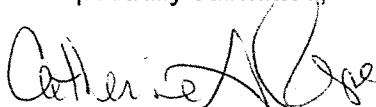
**NEXT MEETING – June 17, 2020**

**ADJOURN**

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

VOTED: To adjourn the meeting at 8:28 pm.

Respectfully submitted,



Catherine A. Pepe  
Senior Clerk

