



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

PLANNING & CONSERVATION  
DEPARTMENT

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**CONSERVATION COMMISSION MINUTES  
July 6, 2016**

Julie Flynn, Chair, called the meeting to order at 7:03 p.m., Don Pearson, Vincent Licciardi, and Laurie Finne were present. Sharon Kelley-Parrella and Michael McInnis were absent. Winifred McGowan, Assistant Director of Planning and Conservation, was also present.

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY -16  
BRATTLE STREET – MAP 54 PARCEL 19A**

Documents: Proposed Plan, 16 Brattle Street, Wilmington, MA, dated 5/4/2016

Present in interest: David Slattery, owner

D. Slattery presented plans to build a deck on his house and walkway to the deck stairs, both will be over 25 feet from the wetlands and intermittent stream.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 16 Brattle Street –  
Map 54 Parcel 19A

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY - 377  
BALLARDVALE STREET – MAP R3 PARCEL 50B**

Documents: Plan: 'Proposed Parking and Loading Area Modifications, Wilmington, Mass.'  
dated 6/3/2016

Present in interest: Jamie McManus, Howland Development  
William Bergeron, Hayes Engineering, Inc.

W. Bergeron presented plans to add 4 loading docks to the existing building and modify parking. An equivalent square footage of pavement will be removed and made into a pervious surface. He stated that the drainage system had been cleaned recently and upon inspection, they found there were no oil hoods. He said they proposed to add hoods to the existing catch basins. He agreed to use erosion controls and will remove debris and the old silt fence on the wetland side of the pavement.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 377 Ballardvale Street – Map R3 Parcel 50B

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY - 27 ELEANOR DRIVE– MAP 4 PARCEL 23**

Documents: Plan entitled 'Proposed subsurface Septic Disposal System, 27 Eleanor Drive', revised 6/14/2016

Present in interest: Luke Roy, LJR Engineering, Inc.  
Kristen Costa, LA Associates

L. Roy presented plans to construct a single family house with septic system, infiltration for roof runoff and driveway. While a potential pool is shown, he said it is not proposed at this time. The lot has a portion of the stormwater basin on it. He said the erosion controls were installed as part of the Order of Conditions for the subdivision. He agreed to correct the 100-foot Buffer Zone line to be from the replicated wetland.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 27 Eleanor Drive – Map 4 Parcel 23

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – 29 ELEANOR DRIVE – MAP 4 PARCEL 22**

Documents: Plan entitled 'Proposed subsurface Septic Disposal System, 29 Eleanor Drive', dated 6/14/2016

Present in interest: Luke Roy, LJR Engineering, Inc.  
Kristen Costa, LA Associates

L. Roy presented plans to construct a single family house with septic system, infiltration for roof runoff and driveway. While a potential pool is shown, he said it is not proposed at this time. He said the erosion controls were installed as part of the Order of Conditions for the subdivision. There is a conservation restriction on the portion of the lot within 30 feet of wetlands; the demarcation fence will connect with the fence around the stormwater basin.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 29 Eleanor Drive – Map 4 Parcel 22

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

W. McGowan stated that revised plans were submitted, reflecting changes in delineation, but without a revision date.

Upon motion duly made and seconded, it was

VOTED: To close the public meeting for the railroad right of way.

VOTED: To issue a negative Determination of Applicability for the railroad right of way.

**PUBLIC HEARING – NOTICE OF INTENT – CHESTNUT STREET– MAP 13 PARCEL 2A**

Documents: Proposed Restoration & Maintenance Plan, Chestnut Street, ROW 9, dated 6/2016

Present in interest: Denise Bartone, Eversource Energy  
Amanda Crouch-Smith, Tighe & Bond, Inc.

A. Crouch-Smith explained the situation wherein the abutter excavated, added drainage in the Buffer Zone, piled materials next to wetlands, and was using Eversource's land without authorization. The abutter did not cease working when directed to stop. She said this filing is to remove the underdrain and stone and replace it with soil so the groundwater is not drained off. Fill left next to the wetlands will be removed and vegetation restored. The access route under the powerlines will be spread with gravel to 12-foot width. Because it is not possible to use an existing carpath for access, a new gravel access road is proposed, which will use "country drainage". She said this was filed under 310 CMR 10.53(3)(d), a section that deals with construction and maintenance of public utilities such as transmission lines. D. Bartone said they may be able to cross under the power lines, without an access road, to reach the existing gravel road, but have included the work in case they need the new road. Work also includes fencing an open well for safety reasons and putting an access gate at the street.

Upon motion duly made and seconded, it was

VOTED: To close the public hearing for Chestnut Street– Map 13 Parcel 2A

**OTHER BUSINESS**

**CONSERVATION RESTRICTION AND EASEMENT AGREEMENT – 24, 29, 31  
ELEANOR DRIVE, 20, 26 MURRAY HILL CIRCLE – MAP 4 PARCELS 12, 22, 21, 7B, 7H**

Upon motion duly made and seconded, it was

VOTED: To accept the Conservation Restriction and Easement Agreement on 24, 29, 31 Eleanor Drive and 20, 26 Murray Hill Circle – Map 4 Parcels 12, 22, 21, 7B, 7H.

**EMERGENCY CERTIFICATION –98 PARKER STREET – MAP 50 PARCEL 24**

Upon motion duly made and seconded, it was

VOTED: To ratify the Emergency Certification for 98 Parker Street – Map 50 Parcel 24 to repair the septic system.

**CERTIFICATE OF COMPLIANCE - 904 MAIN STREET – MAP 24 PARCEL 33 – DEP  
FILE #344-1270**

Commission asked that the owner be asked to address comments in the engineer's certification, on the as-built plan, and confirmed at a site visit about ongoing debris, about other options for the dumpster location, which is not as specified in its Planning permit,

about the requirement for a gate, and asking for a modification if the owner does not think it is needed. Erosion controls should be removed.

Upon motion duly made and seconded, it was

VOTED: To table the Request for a Certificate of Compliance for 904 Main Street – Map 24 Parcel 33 – DEP File #344-1270

**CERTIFICATE OF COMPLIANCE - 16 BRATTLE STREET – MAP 54 PARCEL 19A – DEP FILE #344-825**

W. McGowan said the fence was moved to meet the required setbacks and the debris was removed.

Upon motion duly made and seconded, it was

VOTED: To issue a Certificate of Compliance for 16 Brattle Street – Map 54 Parcel 19A – DEP File #344-825

**CERTIFICATE OF COMPLIANCE - 53 HIGH STREET – MAP 87 PARCEL 6F – DEP FILE #344-1031**

Commission asked that the owners be asked to address comments in the engineer's certification and confirmed at a site visit about the demarcation fence being extended and an area being restored north of the wetland on both 53 and 55 High Street per the Conditions, about defining a yardwastes area, since yardwastes piles were seen beyond the demarcation boulder line although they were out of the no-disturb area, and about how to handle the driveway where it is in the no-disturb area. Since the Order expired, the Commission said it would issue an Enforcement Order so the work could be done without a new filing.

Upon motion duly made and seconded, it was

VOTED: To table the Request for a Certificate of Compliance and issue an Enforcement Order for the remedial work.

**CERTIFICATE OF COMPLIANCE - 377 BALLARDVALE STREET– MAP R3 PARCEL 50B – DEP FILE #344-566**

Upon motion duly made and seconded, it was

VOTED: To issue a Certificate of Compliance for 377 Ballardvale Street – Map R3 Parcel 50B – DEP File #344-566.

**CERTIFICATE OF COMPLIANCE – 377 BALLARDVALE STREET– MAP R3 PARCEL 50B – DEP FILE #344-677**

Upon motion duly made and seconded, it was

VOTED: To issue a Certificate of Compliance for 377 Ballardvale Street – Map R3 Parcel 50B – DEP File #344-677.

**CERTIFICATE OF COMPLIANCE - 377 BALLARDVALE STREET– MAP R3 PARCEL 50B – DEP FILE #344-747**

Upon motion duly made and seconded, it was

VOTED: To issue a Certificate of Compliance for 377 Ballardvale Street – Map R# Parcel 50B – DEP File #344-747, but hold it until the erosion controls and debris are removed.

**CERTIFICATE OF COMPLIANCE - 336 CHESTNUT STREET – MAP 13 PARCEL 2B – DEP FILE #344-1321**

Commission asked that the owners be asked to address comments in the engineer's certification and confirmed at a site visit about the area to be left unmowed near the stream which is being mowed, about there being no specific yardwastes area, and requesting after-the-fact approval for changes (concrete patio and walks). W. McGowan said it appears that leaves are being deposited into the band of shrubs along the stream, based on the thick layer of leaves there, although an owner indicated to her that they take leaves across the stream and dig them into the gardens.

Upon motion duly made and seconded, it was

VOTED: To table the Request for a Certificate of Compliance for 336 Chestnut Street – Map 13 Parcel 2B – DEP File #344-1321

**DISCUSSION - TREE CUTTING POLICY**

Upon motion duly made and seconded, it was

VOTED: To adopt the tree cutting policy as modified.

**MINUTES – June 6, 2016**

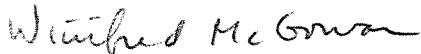
There was not a quorum of commissioners who had been at the June 6<sup>th</sup> meeting to vote.

**ADJOURN**

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

VOTED: To adjourn the meeting at 9:24 pm.

Respectfully submitted,



Winifred McGowan  
Assistant Director of Planning and Conservation