



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

121 Glen Road, WILMINGTON, MA 01887 www.wilmingtonma.gov (978) 658-8238

CONSERVATION COMMISSION MINUTES

August 1, 2018

Sharon Kelley-Parrella, Co-Chair, called the meeting to order at 7:03 p.m. Theron Bradley, Laurie Finne, Vincent Licciardi, Donald Pearson, and Michael McInnis were present. Julie Flynn was absent. Ryan Hale, Conservation Agent, and Catherine Pepe, Senior Clerk of Planning & Conservation were also present.

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 23 Pinewood Road – Map 71 Parcel 60

Documents: Certified Plot Plan, dated July 9, 2018

Present in Interest: Pedro & Zaida Estremera, owners

P. Estremera presented the proposed project which consists of removing an existing 12' x 12' deck, constructing a 12' x 19'3" addition and a 12' x 15' deck within the 100' buffer zone.

R. Hale advised that the work is approximately 80 – 85' from the wetland line, erosion controls are proposed, and recommends a Negative 3 Determination.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (3) Determination of Applicability for 23 Pinewood Road – Map 71 Parcel 60 with the added condition that erosion controls be installed and maintained according to manufacturer's specifications

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 15 Floradale Avenue – Map 29 Parcel 6

Documents: Site Plan, dated May 30, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering Division, dated July 30, 2018

Present in Interest: Michael Fitzgibbons, owner

M. Fitzgibbons presented the proposed project which consists of constructing a 578 square foot, 2-story addition to the side of the house.

R. Hale advised that addition would be about 62' from wetlands, erosion controls are proposed, and recommends a Negative (3) Determination.

D. Pearson asked if gutters, a stone trench, or tying into an infiltration system is proposed for the addition. M. Fitzgibbons advised that there are no plans for gutters or a stone trench. The neighbor's dwelling is far enough away that any stormwater would absorb into the ground.

R. Hale advised that it is under 600 square feet and does not trigger a Stormwater application. He recommends a Negative (3) Determination with the added erosion control and maintenance condition.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (3) Determination of Applicability for 15 Floradale Avenue – Map 29 Parcel 6 with the added condition that erosion controls be installed and maintained according to manufacturer's specifications or erosion controls

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 95 Glen Road – Map 54 Parcel 41

Documents: Subsurface Septic Disposal System Replacement, dated July 16, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering Division, dated July 30, 2018

Present in Interest: Maureen Herald, Norse Environmental Services, Inc.
Jay Tighe, 95 Glen Road Realty Trust

M. Herald presented the project of razing the existing single family dwelling and constructing a new single family dwelling, and installing a new septic system. The Bordering Vegetated Wetland is on another lot, about 67' from the proposed work.

R. Hale noted that the erosion controls do not go all the way around the proposed septic. M. Herald offered to submit a revised plan or have it added as a condition to the Determination. L. Finne suggested adding it as a condition rather than requiring a revised plan. R. Hale recommended a Negative (3) Determination with the condition to install erosion controls around the entire project including the septic.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (3) Determination of Applicability for 95 Glen Road – Map 54 Parcel 41 with the added condition that erosion controls be installed around the entire septic system and maintained according to manufacturer's specifications

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 2 SEQUOIA DRIVE – Map 85 Parcel 16N

Documents: Google Earth Photographs, dated July 17, 2018

Present in Interest: Michael Comerford & Javier Horta, owners

M. Comerford presented the removal of two (2) large tree limbs from trees that are in wetlands, but the limbs overhang his backyard. The removal will be done by a manual climber.

R. Hale confirmed that the leaders are dead and leaning over the homeowner's property and recommends a Negative (2) Determination.

Upon motion duly made and seconded, it was unanimously

VOTED To approve a Negative (2) Determination of Applicability for 2 Sequoia Drive - Map 85 Parcel 16N

PUBLIC HEARING - NOTICE OF INTENT – 9-11 Sewell Road – Map 93 Parcel 15 – DEP File #344-1411

Documents: Site Plan, dated July 2018

Present in Interest: William Holt, Town of Wilmington, Engineering Division
Tyler Bernier, Kleinfelder Engineering
Kirsten Ryan, Kleinfelder Engineering
Joseph Lobao, Town of Wilmington, Department of Public Works

J. Lobao presented the project to replace Barrow's Well Field which is one of the four (4) active Town owned well fields. Installed in the 1950's, the Barrows Well Field used to pump about 600 gallons of water per minute. Today, the wells pump less than 100 gallons per minute. They are surrounded by water, making winter time the best time to access them in order to do any maintenance.

W. Holt advised that the Engineering Division prepared the site plan for the proposed project. They did a field survey and established the boundaries of the parcel, the existing well locations, the elevations, any trees greater than 10" in diameter, and located the wetland resource boundaries.

T. Bernier explained that the existing well field has 50 individual well points and is currently within the wetlands. This makes maintaining and repairing fields difficult. The objective of the project is to move the wells closer to the wetland boundary to allow for increase water flow, easier access for maintenance and repair, and minimize the damage to the wetlands. About 3000 square feet of wetland will be impacted as an excavator will need to access the proposed area and 14 trees will need to be removed to gain access. Trenches will be dug, but generally not left open for more than a day and swamp mats will be used during the construction. They will replace the trees according to Wilmington's Tree Replacement Policy.

R. Hale advised that it is a limited project and a public sub-surface water supply project. R. Hale noted that it meets all the necessary criteria for that limited project status. It is also in Floodplain and there will not be any net change in grades. R. Hale asked that enough swamp mats be on hand for the proposed stockpiling of excavated materials. He also asked that where possible, that stockpiling be done upland. R. Hale would like erosion controls be placed around any stockpiles. K. Ryan advised that the plan is to dig a trench and backfill it as they go along. If a trench has to be left open longer than one (1) shift, they will stockpile the excavated material upland. R. Hale confirmed that

there is no way to avoid the tree removal and that there will be less long-term impact to the wetlands in terms of future maintenance. K. Ryan advised that the aquifer in the area is very narrow and shallow which limits the work area.

R. Hale confirmed that just enough trees will be removed to access the area. He would like the two (2) larger trees, one (1) with three (3) leaders and one (1) about 28" in diameter, to be replaced at a 2:1 ratio for a total of 16 trees to be planted. He would like to review where the trees will be planted. The wetland restoration should happen shortly after construction is completed. T. Bernier advised that the construction will take place during the winter. R Hale advised that the area will need temporary stabilization while waiting for spring to do the wetland restoration.

J. Lobao would like the maintenance condition re-worded to reflect "significant maintenance". K. Ryan asked if the condition should say activities that are NOT exempt. R. Hale will agreed and will correct that in the Order of Conditions.

S. Kelley-Parrella asked about the project's schedule. J. Lobao advised that it is tentative, but plans to get bids late October, break ground soon thereafter and finish in January/February.

T. Bradley asked why an 80% increase in production is expected. T. Bernier and K. Ryan explained that the current wells have been difficult to access and maintain and are probably clogged with natural debris, causing the significant decrease in output.

V. Licciardi asked if all the new wells are 2" or 4" wells. T. Bernier confirmed they would all be 2" wells. D. Pearson asked what will happen to the existing wells. T. Bernier explained that they will be abandoned, filled with sand, and capped. D. Pearson asked about the three (3) additional wells. R. Hale advised that a revised design was submitted. D. Pearson asked if the increase in flow, from the current 25% to 100%, will be a problem. K. Ryan stated that the wells would not pump 24 hours a day, that there would be a resting period for each well. T. Bernier advised that the flow would go from 100 gallons/minute to between 400-500 gallons/minute, not 1000 gallons per minute. K. Ryan advised that the wells will be monitored and they will not pump more than is permitted by the state.

M. McInnis asked if the three (3) additional wells will draw down on the other wells. T. Bernier explained that they are intended to replace some existing wells that are currently too close to property lines.

L. Finne asked if an analysis was done on replacing our wells versus getting more water from Massachusetts Water Resource Authority (MWRA). J. Lobao advised that it is far more cost effective to draw on our own wells, including maintenance, and offers an alternative to relying solely on MWRA.

S. Kelley-Parrella asked if there is a projected life expectancy of these wells. K. Ryan advised that moving the wells will make them easier to maintain and T. Bernier advised that the components are more advanced and the wells should last decades.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 9-11 Sewell Road – Map 93 Parcel 15 – DEP File #344-1411

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 9-11 Sewell Road – Map 93 Parcel 15 – DEP File #344-1411

PUBLIC HEARING – 18 Seneca Lane – Map 68 Parcel 20 – DEP File #344-1407

Document: Proposed Site Plan dated June 18, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering Division, dated July 30, 2018
Letter from Andover Consultant, Inc., dated July 31, 2018

Present in Interest: Ryan & Jennifer Pavlica, owners

R. Pavlica presented the project of razing an existing sunroom, shed, and deck and constructing a 16' x 10' a deck with a patio under the deck. Also leveling the backyard, removing an existing fence and replacing it with a 4' privacy fence along the sides and a 4' chain link fence along the back of the yard.

R. Hale advised that the deck and patio are on existing lawn, are 50' beyond the wetland and Lubbers Brook and are considered a minor activity which is exempt. Re-grading the yard and the fence portion of the project is jurisdictional. The original Order of Conditions for the house required a post and rail demarcation fence along the erosion control line. This fence is fairly decayed and the new fence would replace the post and rail fence. The wetland line has changed over the last 20 years and the proposed fence would meet the original Order of Conditions 15-foot no disturb setback ongoing condition. R. Pavlica does not want to raise the fence the 6" required to meet the minor activity status, because he has two (2) small dogs and is concerned they will get under it. R. Hale commented that the 2' stone retaining wall would be at the base of the proposed fence. R. Hale advised that the cherry tree the homeowner may have to remove is less than 10" in diameter and according to our Tree Policy, does not have to be replaced. R. Hale recommends issuing an Order of Conditions.

M. McInnis asked what materials will be used for the patio. R. Pavlica advised they would use 12" x 12" pervious pavers.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 18 Seneca Lane – Map 68 Parcel 20 – DEP File #344-1407

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 18 Seneca Lane – Map 68 Parcel 20 – DEP File #344-1407

PUBLIC HEARING – NOTICE OF INTENT – 205 Salem Street – Map 81 Parcel 3 – DEP File #344-1407

Documents: Proposed Site Improvement Plan, dated July 5, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering Division, dated July 30, 2018
Proposed Site Improvement Plan, revised July 30, 2018
Driveway Photographs, dated July 30, 2018, 6 pages

Present in Interest: Eric & Nicole McBrine, owners

N. McBrine presented the removal of an existing shed and a part of the existing driveway and construction of a 594 square foot garage.

R. Hale advised that the driveway was extended with pavement and widened with gravel in the 100' buffer zone and Riverfront Area without seeking approval. R. Hale suggested addressing the driveway expansion violation first and then address the proposed project. D. Pearson asked if the alteration was more than 15% of the Riverfront Area and R. Hale advised that it would have likely met the alteration threshold. N. McBrine advised that all the pavement that was added will be removed in preparation of the new garage. Any material put back in front of the proposed garage will be acceptable to the Commission.

M. McInnis asked if the violation could be remediated during the project and the commission agreed that it could be.

R. Hale noted that the size of the proposed garage is reasonable, but would like to see it brought forward if possible to move it further outside the Riverfront area. E. McBrine provided aerial drone photos depicting his truck turning around based on where the proposed garage would be located, and based on where the originally approved edge of driveway was located. E. McBrine stated that if the garage was moved forward to the edge of the originally approved driveway, it would require numerous turns given the size of his truck. E. McBrine advised that for every 12" they move garage forward, it would get 18" closer to the house because the property line setback is at an angle.

L. Finne brought up the snow season and if the garage is moved forward, how that would affect turning in the driveway. The homeowners advised that they do not remove the snow from the graveled area, which narrows the driveway.

R. Hale advised that the project meets the no significant impact thresholds. D. Pearson asked if a carport would afford more room to turn around. E. McBrine disagreed as per the Building Department, they would have to meet the same setbacks whether it is a garage or a carport. D. Pearson asked how much pavement will be removed vs. how much impervious pavement will be re-installed. E. McBrine stated that they are open to whatever materials the Commission suggests. R. Hale asked how they turned around before the driveway was extended and homeowner advised that they drove over the area that is now lawn.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 205 Salem Street – Map 81 Parcel 3 – DEP File #344-1407

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 205 Salem Street – Map 81 Parcel 3
– DEP File #344-1407

**PUBLIC HEARING – NOTICE OF INTENT – 458 Main Street – Map 41 Parcel 114 –
DEP File #344-1408**

Documents: Existing Conditions Plan, revised July 18, 2018, 3 pages

Present in Interest: Luke Roy, LJR Engineering, Inc.
Joseph Correia, Correia Ventures, LLC

L. Roy presented the parking lot improvements project that coincides with the interior renovations to the building. The proposed work will be a vast improvement to the conditions that exist now. The site is about 89% impervious, is in the Groundwater Protection District, and is within 15' of the wetlands on one (1) side of the property. Some pavement will be removed, a stockade fence will be installed, and the area will be loamed and seeded with an upland seed mix. Currently, the roof drains discharge runoff into the wetlands. A recharge system has been designed which will lessen the impact to the wetlands.

R. Hale agreed that the project will definitely improve the site and asked if there will be curbing in the snow storage area. L. Roy advised that there will be, but granite may be used in those areas. The Engineering Division asked LJR to put some breaks in the curbing to allow water to infiltrate rather have it all run onto Kirk Street. R. Hale asked that the seed mix be approved by the Conservation Department and that the fence be raised 6" off the ground to allow wildlife.

M. McInnis asked about traffic turning in the north corner of the property. L. Roy advised that area is for deliveries, not for 2-way traffic.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 458 Main Street – Map 41 Parcel 114 –
DEP File #344-1408

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 458 Main Street – Map 41 Parcel 114
– DEP File #344-1408

**PUBLIC HEARING – NOTICE OF INTENT – Clifton Street – Map 16 Parcel 40 – DEP
File #344-1409**

Documents: Subsurface Sewage Disposal Plan, Revised July 13, 2018

Present in Interest: Maureen Herald, Norse Environmental Services, Inc.
Jonathan Langone, Langone Development Group, Inc.

M. Herald advised that this project was previously approved, then it had to be redesigned as a drinking well was found across the street. The septic design had to be moved to meet the Board of Health setbacks. A Request for Certificate of Compliance was submitted to close out the previous order as the design changed.

R. Hale no comments.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for Clifton Street – Map 16 Parcel 40 – DEP File #344-1409

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for Clifton Street – Map 16 Parcel 40 – DEP File #344-1409

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 58 Chestnut Street – Map 29 Parcel 19C – DEP File #344-1391

Documents: Topographic Plan of Land, dated March 19, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering Division, dated April 3, 2018
Summary Letter for Notice of Intent & Simple Stormwater Permit, dated April 23, 2018
Site Plan, 2 pages, revised April 20, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering Division, dated May 1, 2018
Email Request to Continue, dated May 30, 2018
Email Request to Continue, dated June 20, 2018
Stormwater Calculations, dated April 23, 2018
Site Plan, Revised July 18, 2018, 2 pages
Plan Submission Site Plan, dated July 18, 2018
Swale and Buffer Restoration Planting Plan, revised July 26, 2018

Present in Interest: Thad Berry, ASB Design Group
Brent Marks, owner

T. Berry and B. Marks are agreeable to the proposed draft Order of Conditions.

R. Hale advised that the Engineering Division is satisfied with the proposed stormwater design. The outstanding item is the proposed 10' culvert on the edge of the driveway and if it is acceptable or should it go back to being part of the swale. The planting plan is satisfactory as well as the proposed regrading of the yard.

B. Marks will try to stop the snow from being plowed into the swale, but feels that over the years, it will end up being pushed into the swale/culvert. S. Kelley-Parrella asked what the concern was if the culvert is left where it is. R. Hale advised that since it is a violation the Commission could require the original conditions restored, but the culvert is not significant to overall impact. D. Pearson suggested consistent inspections of the

culvert. B. Marks advised that the inlet and outlet need to be cleaned out to avoid upgradient ponding.

S. Kelley-Parrella suggested leaving the culvert with the condition that it be properly cleaned and maintained. L. Finne suggested adding a condition for plantings, possibly shrubs, at the culvert to help minimize the runoff.

T. Barry suggested a flared end to the culvert or a depression in front of the culvert. B. Marks suggested plantings at the mouth of the culvert to prevent the snow runoff from entering it as well as signage. R. Hale suggested adding a condition to have the Engineering Division approve a shallow depression in front of the swale.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 58 Chestnut Street – Map 29 Parcel 19C – DEP File #344-1391

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 58 Chestnut Street – Map 29 Parcel 19C – DEP File #344-1391

CONTINUED PUBLIC HEARING – 219 Andover Street – Map R1 Parcel 19A – DEP File #344-1393

Document: Existing & Proposed Conditions Plan, 2 pages, dated January 2018
Conceptual Design for Wetlands & Buffer Infringement Corrective Actions
Stockpile Area Along Northern Quarry Face, dated February 2018
Memorandum from William Hold & Paul Alunni, Town Engineering
Division, dated March 6, 2018
Technical Memorandum from EA Engineering, Science, & Technology,
Inc., dated August 24, 2011
E-mail Request to Continue, dated April 26, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering
Division, dated May 1, 2018
Email Request to Continue, dated June 20, 2018
Email Request to Continue, dated July 19, 2018

F. Postma, EA Engineering Science & Technology, Inc. emailed a request to continue to the September 5, 2018 Conservation Commission Meeting.

R. Hale advised that the stockpile is stable. The outstanding items are the mitigation, tree replacement, and a few other items that are required by the Notice of Violation.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 219 Andover Street – Map R1 Parcel 19A – DEP File #344-1393 until the September 5, 2018 Conservation Commission Meeting

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 1 Hudson Street – Map 70
Parcel 82A – DEP File #344-1399**

Documents: Existing Conditions Plan, dated April 9, 2018
NOI Plan, dated April 9, 2018
Existing Conditions Plan, 2 pages, dated April 26, 2018
Response to Regulation 10.58, received April 26, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering
Division, dated May 1, 2018
Email Request to Continue, dated June 1, 2018
Email Request to Continue, dated June 20, 2018
Email Request to Continue, dated July 18, 2018

Richard Rapacki emailed a request to continue to the September 5, 2018 Conservation Commission Meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 1 Hudson Street – Map 70 Parcel 82A
– DEP File #344-1399 until the September 5, 2018 Conservation
Commission Meeting

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 911 Main Street – Map 25
Parcel 4 – DEP File #344-1400**

Documents: Existing Conditions Plan, 2 pages, dated April 30, 2018
Post-Development Drainage Plan, dated July 22, 2008
As-Built Plan, 4 pages, dated November 6, 2012
Notice of Intent Plans, 5 pages, dated April 30, 2018
Memorandum from Paul Alunni & William Holt, Town Engineering
Division, dated June 6, 2018
Email Request to Continue, dated July 11, 2018
Email Request to Continue, dated July 18, 2018

Present in Interest: S. Eriksen, Norse Environmental Services, Inc.
Michael Newhouse, Michael J. Newhouse & Associates, PC
Paul Autenzio, M.T. Pokkets Realty Trust
Robert Autenzio, M.T. Pokkets Realty Trust

M. Newhouse emailed a request to continue to the September 5, 2018 Conservation Commission Meeting.

R. Hale advised that the applicant missed the deadline for the August 1, 2018 meeting and is not sure what is causing the delay. S. Kelley-Parrella asked if the Commission could take additional action. R. Hale advised either a Notice of Violation with a submittal deadline or an Enforcement Order, also with a submittal deadline with or without fines. The Commission agreed to give the applicant until August 15, 2018 to submit, if not, they will issue a Notice of Violation or an Enforcement Order.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Notice of Violation or an Enforcement Order if plans are not submitted by 12:00 pm on August 15, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 911 Main Street – Map 25 Parcel 4 – DEP File #344-1400 until the September 5, 2018 Conservation Commission Meeting

EXTENSION PERMIT FOR ORDER OF CONDITIONS

38 Lake Street – Map 34 Parcel 158D – DEP File #344-1296

Present in Interest: Jennifer & Eric White, owners

E. White requested that the order of conditions be extended for one (1) year to give the utility company time to move a guy wire so the homeowner can pave the driveway.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Extension Permit for Orders of Conditions for 38 Lake Street – Map 34 Parcel 158D – DEP File #344-1296 for one (1) year

NOTICE OF VIOLATION – 67 North Washington Avenue – Map 53 Parcels 13-113 & 14-114

Present in Interest: Andrew Pojasek, Dana F. Perkins, Inc.
Patrick Seekamp, Seekamp
Maureen Herald, Norse Environmental Services, Inc.
John Cucinotta, owner

Documents: Existing Conditions, Plan of Land, dated July 24, 2018

R. Hale summarized the violation that took place on Town owned Conservation Land and within the 100' buffer zone. The homeowner hired a tree service who proceeded to cut approximately fifteen (15) trees in half that are on Town Property. Some of the tree tops were dropped to the ground and remain there. A plan showing existing conditions was submitted for review followed by a Notice of Intent to be submitted by August 15, 2018.

A. Pojasek advised that the fifteen (15) trees were cut upland of the wetland line. P. Seekamp confirmed that the trees were topped (the tops removed). The red maples and Norway maples have already started to re-sprout. The oaks and quaking aspens will not re-sprout. P. Seekamp recommends removing the tops that were left on the ground as well as a small pile of landscape debris. There are three (3) invasive species in the area. They would like to cut the smaller Norway Maples and Glossy Buckthorn, clear away the debris, and paint them with an herbicide to kill them. The root structure is very dense and replanting trees will be difficult. P. Seekamp recommends planting blueberry bushes in the area where the Glossy Buckthorn was instead of trees. The restoration and invasive species removal will be included in the Notice of Intent. P. Seekamp also recommends leaving the stumps as they have value to the wildlife except for one (1) oak that leans onto Mr. Cucinotta's land.

R. Hale's concern is the amount of tree canopy that was removed. P. Seekamp advised that the red maples in the 'understory' will become the mature trees and restore the tree canopy.

L. Finne asked what kind of trees could they use and do nurseries sell trees that are large enough so that it won't take fifteen (15) years to revegetate the area. R. Hale agreed that due to the dense root structure, trying to plant larger trees would adversely impact the area. P. Seekamp offered to plant some shadbush that grow taller than typical shrubs. He also suggests leaving the logs as they will offer a source of habitat. P. Seekamp asked if the Commission was ok with planting shadbush and high bush blueberry bushes.

NOTICE OF VIOLATION – 38 Burlington Avenue – Map 29 Parcel 9

R. Hale saw excavation being done on a septic replacement near wetlands without approvals, and no erosion controls were installed. The contractor informed him that excavation was for a septic system. R. Hale checked with the Board of Health and discovered the septic system had also not been approved by them. He advised the contractor to stop all work, install erosion controls, and issued a Notice of Violation. A few days later the Board of Health issued an emergency certification, and R. Hale was then able to do the same.

EMERGENCY CERTIFICATION – 38 Burlington Avenue – Map 29 Parcel 9

After confirming with the Board of Health, R. Hale issued an Emergency Certification for a septic system.

Upon motion duly made and seconded, it was unanimously

VOTED: To ratify the Emergency Certification for 38 Burlington Avenue – Map 29 Parcel 9

NOTICE OF VIOLATION – 14 Michael Drive, Burlington, MA – Map 5 Parcel 8

R. Hale advised that this violation was a result of the homeowner submitting a building permit for a pool in the backyard. Though the address is Burlington, the backyard is in Wilmington and therefore requires Wilmington's approval for regulated activities. R. Hale reviewed Google Earth photos from 2017 and 2018, and observed that a large area had been clear cut within 100 feet of wetlands and the 200-foot Riverfront Area of Mill Brook/Ipswich River. R. Hale made a site visit and confirmed that the backyard had been cleared. The homeowner must now submit a restoration plan for the entire 100' buffer zone and Riverfront Area with a deadline of October 31 for completion. They can still submit a Notice of Intent for a pool that can potentially be approved if it meets all the criteria for approval.

ENFORCEMENT ORDER – 14 Michael Drive, Burlington, MA – Map 5 Parcel 8

R. Hale issued an Enforcement Order for clearing the backyard.

Upon motion duly made and seconded, it was unanimously

VOTED: To ratify the Enforcement Order for 14 Michael Drive – Map 5 Parcel 8

NOTICE OF VIOLATION – 5 Green Meadow Drive – Map 2 Parcel 202

A patio, retaining wall, shed, and fill material were placed within the 200' Riverfront Area and the 100' buffer zone without approval. Because the patio and shed are within 50 feet of wetlands, those activities need approval, and the retaining wall and backfill needs approval whether within 50 feet or not. The homeowner must submit an after the fact Request for Determination of Applicability for the September 2018 meeting.

NOTICE OF VIOLATION – Notice of Violation 61 Ashwood Avenue – Map R4 Parcel 121

The backyard was clear cut and as well as paths leading into the Conservation Land next to his property. He will submit a plan, but had to miss the deadline for this meeting due to a family illness.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 10 Somerset Place – Map 78 Parcel 51- DEP File #344-534

Present in Interest: Maureen Herald, Norse Environmental
Michael Simpson, former owner

M. Herald advised that the lawn clippings were removed as requested. She also provided a document that was signed electronically by the new homeowners, acknowledging that they received a copy of the Order of Conditions dated April 5, 1996.

R. Hale confirmed that the lawn clippings were removed. L. Finne would like to see the electronic audit trail of the electronically signed document. D. Pearson reviewed the electronic communication trail for the electronic signatures and accepted the electronically signed document. The rest of the Commission agreed to ask the current homeowners to confirm that they signed an electronic copy of the acknowledgement and then release the Certificate of Compliance.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue and hold the Certificate of Compliance pending verification of signatures from the current owners for 10 Somerset Place – Map 78 Parcel 51 – DEP File #344-534

REQUEST FOR CERTIFICATE OF COMPLIANCE – 315 Main Street – Map 42 Parcel 24 – DEP File #344-1050

R. Hale advised that all conditions have been met.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for 315 Main Street – Map 42 Parcel 24 – DEP File #344-1050

REQUEST FOR CERTIFICATE OF COMPLIANCE – 355 Main Street – Map 79 Parcel 31 – DEP File #344-1060

R. Hale advised that all conditions have been met.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for 355 Main Street – Map 79 Parcel 31 – DEP File #344-1060

REQUEST FOR CERTIFICATE OF COMPLIANCE - 8 W. Jamaica Avenue – Map 70 Parcel 21 – DEP File #344-1060

R. Hale advised that the acknowledgement from the current owner needs to be submitted.

Upon motion duly made and seconded, it was unanimously

VOTED: To table the Certificate of Compliance for 8 West Jamaica Avenue – Map 70 Parcel 21 – DEP File #344-1060 pending receipt of the current owners acknowledgement of receipt of the Order of Conditions

REQUEST FOR CERTIFICATE OF COMPLIANCE – CLIFTON STREET – MAP 16 Parcel 40 – DEP File #344-1373

R. Hale advised that the work was never started.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for Clifton Street – Map 16 Parcel 40 – DEP File #344-1373

DISCUSSION - Ipswich River Watershed Association Kiosk – R. Hale advised that the Ipswich River Watershed did receive funding for the kiosk on Woburn Street. R. Hale did a site visit with some of the members to try to identify an area for the kiosk, a possible parking area, and an area to put the kayaks into the water. The IRWA would like to make a cut in the guard rail and make some kind of steps down to the water to put the kayaks in the water.

DISCUSSION – Site Visits – R. Hale suggested that it would be helpful for any available Commissioners to make site visits, especially for violations. Some site visits are arranged at the last minute, but R. Hale will try to email the Commissioners on a weekly basis with dates for pre-arranged site visits.

DISCUSSION - Conservation Commission Meeting Schedule – S. Kelley-Parrella reviewed the request from the Town Manager's office for the Commission to meet twice a month. L. Finne offered meeting twice a month during the busy months and once a month during the quiet months. M. McInnis said it will be difficult for him to meet twice a month, but the remaining Commissioners were agreeable to L. Finne's proposal.

Statistics will be compiled for the Commission to review showing the volume of applications for each month over the last fiscal year.

ELECTION OF CHAIR & VICE-CHAIR - R. Hale advised that Julie Flynn will step down as chair. S. Kelley-Parrella offered to become the Chair and L. Finne offered to become the Vice-Chair. D. Pearson nominated S. Kelley-Parrella as Chair and L. Finne as Vice-Chair.

Upon motion duly made unanimously seconded

VOTED: To elect S. Kelley-Parrella as Chair and L. Finne as Vice-Chair

MINUTES – June 6, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the minutes for the June 6, 2018 meeting with one (1) abstention

MINUTES – July 11, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the minutes for the July 11, 2018 meeting with three (3) abstentions

ADJOURN

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

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Catherine A. Pepe".

Catherine A. Pepe
Senior Clerk

