



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

PLANNING & CONSERVATION  
DEPARTMENT

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**CONSERVATION COMMISSION MINUTES**

August 2, 2017

Julie Flynn, Chair, called the meeting to order at 7:01 p.m. Laurie Finne, Vincent Licciardi, Donald Pearson, Theron Bradley, and Sharon Kelley-Parrella were present. Michael McInnis was absent. Valerie Gingrich, Director of Planning and Conservation, Ryan Hale, Conservation Agent, and Catherine Pepe, Senior Clerk of Planning & Conservation were also present.

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
Wildwood Cemetery Expansion, Cypress Avenue Section N – Map 64 Parcel 01**

Documents: Wildwood Cemetery Expansion Proposed Columbarium Plans,  
dated July 2017

Present in Interest: Paul Alunni, Wilmington Town Engineer

P. Alunni presented the Wilmington Department of Public Works (DPW) project for the installation of 16 columbarium units in the N Section along Cypress Avenue in Wildwood Cemetery. Each columbarium is 2' wide x 10.5' long x 5.5' high and has 32 niches. Based on the current average of 150 burials a year, the life expectancy of the existing cemetery is approximately 26 years. Adding the 16 columbariums will add approximately 25 years to the life of the cemetery.

The first columbarium will be located 25' from the wetlands as required. Some will be back to back where room allows, while others will be in a single row to preserve an existing row of arborvitae. There will only be disturbance to existing maintained lawn to properly install the base of the columbariums.

V. Gingrich stated that the DPW may have to remove one proposed unit between the single and double rows for access to the back side of the double row. Other than for the columbarium pads, no additional removal of vegetation/lawn is expected. R. Hale confirmed V. Gingrich's comments.

L. Finne questioned the parking area. P. Alunni stated that parking will be on the Cypress Avenue side of the columbariums.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for Wildwood Cemetery Expansion, Cypress Avenue Section N – Map 64 Parcel 01

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
Cunningham Street Culvert – near Map 69 Parcels 73 & 91**

Documents: Cunningham Street STA 14+25 to STA 18+25, Site Plan & Drainage Improvement Plans, July 2017

Present in Interest: Paul Alunni, Town Engineer

P. Alunni presented the DPW project to replace the two collapsing corrugated metal pipe (CMP) culverts on Cunningham Street between Lexington and Jacob Streets. After consulting with the U.S. Army Corps of Engineers (USACE), the DPW determined that replacing the CMP culverts in-kind at the same invert elevations and with the same material rather than the originally proposed high density polyethylene (HDPE) would help facilitate the required approval from the USACE and would be sufficient to meet the project goals. The replacement CMPs would be between 1' to 3' shorter than the existing culverts so they will end within the limits of the right-of-way. The headwalls will be reconstructed following culvert replacement. Erosion controls will be installed on either side of the culverts and a pump bypass system will be installed if necessary to divert water downstream and prevent water from entering the work area. The work is scheduled to be completed in late summer/early fall when the stream is anticipated to be dry. In addition, a third CMP drain in the same area will be replaced at the same time as a preventative measure.

V. Gingrich stated that she and R. Hale made a site visit with P. Alunni and they do not have any concerns. R. Hale brought up the paved swale adjacent to the culverts that captures stormwater from Cunningham Street and conveys it to the downstream side of the culverts where it has caused erosion. P. Alunni indicated the DPW also plans on replacing the paved swale with rip-rap to improve conditions.

D. Pearson questioned the life expectancy of the replacement culvert. P. Alunni stated that it would be a heavier gauge with a longer life expectancy.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for Cunningham Street Culvert – near Map 69 Parcels 73 & 91

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
4 Gatehouse Lane – Map 28 Parcel 10**

Documents: Mortgage Inspection Plot Plan, revised July 14, 2017

Present in Interest: Jerold and Barbara Siegel

J. Siegel would like to remove the existing 10' x 12' deck and replace it with a 14' x 12' deck. The new deck would be located just within 50' of the wetland.

V. Gingrich stated that the yard has a gradual slope and that she has reviewed the need for erosion controls with the homeowner. The new footings and deck should not have a significant impact on the wetlands.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 4 Gatehouse Lane – Map 28 Parcel 10

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY –  
71 Clark Street – Map 42 Parcel 40**

Documents: As-Built Plan of Land, dated November 12, 2013  
Pictures, dated July 19, 2017  
Lord's Tree Proposal, undated

Present in Interest: Thomas and Wanda McLaren, owners

W. McLaren stated that they would like to cut down a maple tree whose trunk is severely decayed and replace it with a native tree.

V. Gingrich stated that the tree is just outside of the Right of Way DPW jurisdiction and that it needed to come down. R. Hale questioned what kind of tree the McLaren's would replace the tree with and W. McLaren stated either a native maple or elm tree.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 71 Clark Street – Map 42 Parcel 40

**CONTINUED PUBLIC MEETING - REQUEST FOR A DETERMINATION OF  
APPLICABILITY – 319A Andover Street – Map R1 Parcel 118**

Documents: Request to Continue Letter, dated July 20, 2017

Andrew Pojasek, the project engineer from Dana F. Perkins, Inc., mailed a request to continue the public meeting for 319A Andover Street to the September 6, 2017 Conservation meeting.

V. Gingrich stated that the engineering firm is progressing with the requested changes, but that they need a little more time to complete them.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public meeting for 319A Andover Street – Map R1 Parcel 118 until September 6, 2017

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

Documents: None

Present in Interest: Rich Stuart, Triton Construction  
Doug Lees, Land Engineering & Environmental Services, Inc.

D. Lees stated that there were no changes to the layout of the project, just to the size of the pump and workings of the pump station. He also stated that the dewatering basin and straw wattle details were added to the plan.

V. Gingrich stated that the DPW is comfortable with the layout and that it is ready to be approved. R. Hale asked to look at the dewatering basin based on condition #38 before work begins. D. Lees stated this could be done during the pre-construction meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 168 Lowell Street – Map 58 Parcel 1 – DEP File #344-1349

VOTED: To issue an Order of Conditions for 168 Lowell Street – Map 58 Parcel 1 – DEP File #344-1349

**PUBLIC HEARING – REQUEST TO AMEND ORDER OF CONDITIONS – 14-16 Bond Street – Map 21 Parcels 5-31 & 5-31A – DEP File #344-1362**

Documents: Letter Requesting Modification from M. Rozin, dated June 29, 2017  
14 Bond Street Quitclaim Deed, recorded June 10, 2015  
Interim As-Built/Modification Plan, dated June 22, 2017  
Email from Luke Roy, LJR Engineering, dated June 26, 2017  
Letter from Robert and Linda Whitebone, RLW Family Trust, dated June 23, 2017  
Letter with attachments from Robert and Linda Whitebone, RLW Family Trust, dated June 30, 2017

Present in Interest: Michal and Liviu Rozin, owners  
Luke Roy, LJR Engineering

M. and L. Rozin presented their request for amendment to the existing Order of Conditions. They owners would like to widen the driveway, add a stone infiltration trench, change the snow removal storage area, move two post and rail demarcation fences closer to the 15' no-disturb buffer, move the yard waste area, and change the stormwater depression areas. The Rozins also noted that the slope at the front of the house was changed and a boulder retaining wall was put up. The 300' driveway is currently 10' wide and they want to expand the width by 3' of asphalt and 2' of crushed stone as well as expand the driveway near their garage door to 40' so they can turn around without driving over their grass and so the snow plow truck could turn around at that end of the driveway. They would like to store some of the excess snow at the end of the driveway and on the Bond Street cul de sac. The wetland replication area needs to be assessed as the Rozins indicated it failed to meet the performance standards.

Luke Roy, LJR Engineering, stated that he is available to answer any questions. He stated that the house and driveway were configured differently and that only one stormwater depression has been created to date. He created an interim as-built to show the changes made during construction and to help determine where the remainder of the work can be done and where any changes could be made.

V. Gingrich summarized some of the comments from P. Alunni, Town Engineer. The infiltration trench is 10' from the existing septic for 16 Bond Street and that the applicant must show that the proposed change will not impact the existing septic system. He suggested moving the stone trench and that it would be helpful to see spot grades to see where the runoff would go. The Board of Health and Town Engineer want to see the placement of the stone trench in relation to the septic system at 16 Bond Street and that the boulder retaining wall should be reviewed per Title 5. He also asked that the scope of work be clearly identified so the commissioners can determine the potential level of disturbance. Also, will the failed wetland replication area be reinstalled?

R. Hale asked why the wetland replication failed and why would they try reinstalling the replication in the same area. M. Rozin could not answer that, but would consult with the project engineer. R. Hale would like an explanation as to why that site was picked and what plant species were planted. L. Roy stated that too shallow excavation and resulting lack of groundwater influence may have caused the replication area to fail.

L. Finne asked if the house was complete when purchased. M. Rozin stated that all was complete except for grass. L. Finne asked why the post and rail was constructed in a straight line. Neither L. Roy nor M. Rozin could explain why.

D. Pearson asked why the driveway was constructed without a stone trench, and would the stone trench be an improvement of the 10' driveway. L. Roy stated that the drainage calculations are conservative and that the 3' expansion would have a 2' stone trench that would be sized to accommodate the additional impervious surface from the driveway expansion. R. Bradley questioned why they wanted a 13' wide driveway. L. and M. Rozin stated that they wanted the additional 3' to give them enough room so the vegetation bordering the driveway would not hit vehicles and for wider access for snow plows and emergency vehicles.

S. Parrella-Keeley questioned if they were aware of the driveway width when the property was purchased. J. Flynn reminded the public that comments should be related to conservation issues. R. Whitebone, 16 Bond Street, stated that they were not aware of the driveway widening request. L. Whitebone read their letter dated August 2, 2017. J. Flynn asked if the air conditioning unit was there before 14 Bond Street was built. Mr. & Mrs. Whitebone, 16 Bond Street, confirmed that it was.

M. McCoy, selectman stated his opposition to the proposed changes and questioned the need for a wider driveway. He advised that the Fire Chief said an ambulance and a fire engine can go down the driveway as it is currently constructed. M. McCoy asked if the Fire Chief told V. Gingrich that they had sufficient access with the existing driveway. V. Gingrich confirmed.

V. Gingrich stated that the Commission's role is to review the stormwater, wetland replication area, and associated items only and not the legal right to widen the driveway. V. Gingrich advised that the stone trench acts more as a filter strip than an infiltrator and that the Rozins' engineer still needs to answer several questions from the Board of Health and Town Engineer regarding the stormwater depressions, the stormwater impacts from the driveway widening, and the wetland replication area.

L. Whitebone, 16 Bond Street, stated that the applicant's plan showing the septic for

16 Bond Street is incorrect. V. Gingrich stated the Board of Health will need to review that.

Janelle Adams, 12 Bond Street, asked which stormwater depression was installed and voiced her concern that 14 Bond Street's stormwater is backing up onto her property and causing excess water on her property. L. Roy showed where the completed stormwater depression is and where the second will be constructed. He stated that improvements will be made to the existing stormwater depression and that, along with construction of the second one will reduce the flow of water onto 12 Bond Street. J. Adams asked who would keep the culvert clear. L. Roy stated the owners of 14 Bond Street will do that. V. Gingrich stated that the Town Engineer's office went out to inspect the culvert and it was clear and working properly.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 14-16 Bond Street – Map 21 Parcels 5-31 & 5-31A – DEP File #344-1362 to the September 6, 2017 meeting

**PUBLIC HEARING – NOTICE OF INTENT – 375 Ballardvale Street – Map R3 Parcel 50A – DEP File #344-**

Documents: FedEx Ground Site Improvements Plan, 6 pages, dated July 6, 2017

Present in Interest: Mark Beaudry, Meridian Associates  
Jamie McManus, Howland Development

M. Beaudry presented the proposal to improve the existing FedEx facility which includes replacing the existing security building, constructing a locker facility, installing a groundwater interceptor and associated conveyances, and repaving the parking lot that surrounds the facility. Wetlands are located beyond the parking lot to the west and south. There is an existing security building in the southwest corner of the site that they want to replace with a larger (1,100 square feet) facility and an additional employee locker facility for employees to secure their belongings. The project does not require additional impervious areas. There will be some improvements to the parking area where they plan to grind the pavement 15" to 16" down and then repave the parking area.

Water is currently getting under the pavement on the north side of the parking lot and is compromising it. A groundwater interceptor is proposed which will convey the groundwater to the existing stormwater system. They will replace curbing and guard rails that have been destroyed over the years at the same time. Twenty existing catch basins need maintenance attention as well.

V. Gingrich stated that the Town Engineer has issued a memo addressing concerns. M. Beaudry stated that they have completed some of the items and are working on the rest of them.

R Hale questioned the additional groundwater into the existing stormwater system and outfall protection. M. Beaudry showed that it will be split into three different existing catch basins. He stated it is mostly runoff from the parking lot, maybe ½ of CSF, that the timing of the groundwater entering the stormwater system will be offset from when the stormwater enters the stormwater system due to the time it takes for groundwater to

infiltrate. He does not anticipate any concerns and there should be plenty of capacity. R. Hale questioned whether the mapped intermittent stream in the wetlands has been reviewed, and that he would like to review the possibility of its presence and the Riverfront regulations. He would like to review it with their wetland consultant.

M. Beaudry stated that the security building and the locker shelter are outside the 100' area from the stream.

J. Flynn asked if the existing catch basins have hoods. M. Beaudry stated that several of the catch basins have hoods and they are looking into adding more.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 375 Ballardvale Street – Map R3  
Parcel 50A – DEP File #344- to the September 6, 2017 meeting

**PUBLIC HEARING - NOTICE OF INTENT – 100, 102 & 104 West Street – Map 1  
Parcels 3, 4, & 5 – DEP File #344-1362**

Documents: Alltown Market Convenience Store and Fuel Station Plans, 14 pages,  
dated June 13, 2017  
Alltown Market Convenience Store and Fuel Station Pre-Development  
Watershed Map Plan, dated June 13, 2017  
Alltown Market Convenience Store and Fuel Station Post Development  
Watershed Map Plan, dated June 13, 2017  
Memo from Paul Alunni, Town Engineer, dated July 10, 2017

Present in Interest: Michael Newhouse, Attorney  
Michael Caira, Municipal Consultant  
Kevin Doyle, Global Partners, Director of New Construction  
Alan Roscoe, Project Engineer, Core States Group

M. Newhouse presented the proposed project at the site of the intersection of Lowell Street and West Street, an area of about 4 ½ acres containing some wetlands. The project will be done in two phases. The first is a convenience store with food, an outdoor patio area and ten fuel pumps. Phase 2 would be closer to Route 93 and has no planned use yet. Some possibilities are a small restaurant (not a drive through), a medical facility, or possibly with a drive through.

A. Roscoe summarized that the majority of the project is 100' beyond the wetlands. He is aware of the setbacks and has designed the project with that in mind. There will be two access points on West Street for entering and exiting and a right turn access for entry only on Lowell Street. There is no left hand turn access on Lowell Street from Route 93. Grading and stormwater will meet all codes. They are currently making changes to their proposal and hope to present the changes at the September 2017 meetings of the Planning and Conservation Boards.

V. Gingrich stated that the applicant has opened their public hearing with the Planning Board and will be heard again in September. The traffic report is being per reviewed by a separate consultant. The applicant is reusing the plans in response to comments. The project will also need Use Special Permits from the Board of Appeals. They are

before the Commission for work in the buffer zone. The wetland line will need to be confirmed as part of this process.

D. Pearson questioned the placement of the fuel tanks. The two 20,000 tanks are 8' in diameter and will be installed 10' below grade which is slightly different from the current set of plans. Test pits were dug in that area specifically to ensure that tanks could be placed there. Perc tests for the septic are ok. Uniform grading will pitch back to the rear of the lot. S. Kelly-Parrella questioned the lease line. A. Roscoe advised that there is a strip of land to lease from the State that will allow them to construct part of the access driveway on MassDOT property.

J Flynn reminded attendees that comments/questions are restricted to Conservation Commission related comments only.

R. Peterson, citizen, brought up the Town Engineer's six page memo specifically addressing the stormwater concerns and also that the driveways are located in a residential zone. His research shows that West Street is clearly zoned residential. It would appear that zoning will prohibit the driveway unless that part of West Street is re-zoned. M. Newhouse said that the access is permissible through the right of way.

V. Gingrich stated that revisions must be submitted in two weeks in order to review before the September 6, 2017 meeting. M. Newhouse plans to have everything in by August 22, 2017. V. Gingrich offered that she will let the Commission know she and R. Hale will do their site visit if any members can attend.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for 100, 102, & 104 West Street – Map 1  
Parcels 3, 4, & 5 – DEP File #344-1362 to the September 6, 2017  
meeting

**EXTENSION PERMIT – ORDER OF CONDITIONS – 38 Lake Street – Map 34 Parcel  
158D – DEP File #344-1296**

Documents: Letter from Erik White, dated 7/12/17  
Email from Erik White, dated 8/1/17

Present in Interest: Erik White

E. White requested an extension to the Order of Conditions due to health issues that delayed work. He is hoping to get it complete in the next few months. The house itself is complete except for the deck. The exterior work still needs to be completed and he is anxious to get it done.

V. Gingrich stated that R. Hale stopped by the site and noticed no erosion controls established and a large soil stockpile. Erosion controls have to be established at the limit of work as depicted on the approved plans. E. White stated that the stockpile is from 38 and 40 Lake Street and agreed to put up erosion controls.

E. White stated that he would ask the Conservation Department for advice on final plantings.



Upon motion duly made and seconded, it was unanimously

VOTED: To issue a one year extension to the Order of Conditions for 38 Lake Street – Map 34 Parcel 158D – DEP File #344-1296

**EXTENSION PERMIT – ORDER OF RESOURCE AREA DELINEATION – 45 Hopkins Street – Map 10 Parcels 5, 5A, & 6 – DEP File #344-1292**

Documents: Letter from Norse Environmental Services, Inc., dated 7/11/17  
Plan of Land, dated 7/29/14

Present in Interest: James Castellano, Lily Oak Hill LLC

J. Castellano presented his request to extend the Order of Resource Area Delineation (ORAD). He summarized that the original subdivision was changed to a Conservation Subdivision.

V. Gingrich stated that an ORAD was issued in 2014. The developer would like to build a Conservation Subdivision with the existing ORAD and add parcels to the east after it goes through Land Court. The existing ORAD specifically did not approve the Mean Annual High Water (MAHW) delineation and subsequently the Riverfront Area boundary. V. Gingrich stated that the new Abbreviated Notice of Resource Area Delineation (ANRAD) recently submitted for the parcels to the east, which is separate from the approved ORAD, is missing wetland and MAHW delineations. Therefore, the existing ORAD and new ANRAD for the adjacent parcels does not contain sufficient information to confirm the resource boundaries for project planning purposes. She explained to J. Castellano that confirming lines so the project can be planned correctly is better than planning the project and risk having to change it after the wetland and Riverfront Area boundaries are confirmed.

J. Castellano asked if an ANRAD encompassing all the properties could be submitted in time for the September 6, 2017 meeting. V. Gingrich suggested that he come to the Planning & Conservation office to review the project and then proceed with submitting one ANRAD for the entire project area.

S. Parrella-Kelley confirmed that it was brought up at the original ANRAD meetings that the MAHW needed to be confirmed and D. Pearson re-confirmed this. R. Hale stated that there should be separate lines for the wetlands and MAHW where they are not always coincident.

J Castellano submitted a letter to withdraw the extension to the ORAD.

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

VOTED: To accept the withdrawal of extension to the Order of Resource Area Delineation – 45 Hopkins Street – Map 10 Parcels 5, 5A, & 6 – DEP File #344-1292

**CERTIFICATE OF COMPLIANCE – 10 Temple Street – Map 51 Parcel 4 – DEP File #344-1342**

Documents: Letter from LJR Engineering, Inc., dated July 10, 2017

As-Built Plan, dated July 10, 2017

L. Roy, LJR Engineering, Inc. submitted the Request for Certificate of Compliance along with the appropriate paperwork.

V. Gingrich stated that a site visit determined that all conditions have been met and R. Hale confirmed.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 10 Temple Street – Map 51  
Parcel 4 – DEP File #344-1342

**CERTIFICATE OF COMPLIANCE – 52 Adams Street – Map 51 Parcel 99 – DEP File #344-1300**

Documents: Letter from LJR Engineering, Inc., dated July 10, 2017  
As-Built Plan, dated May 8, 2015

L. Roy, LJR Engineering, Inc. submitted the Request for Certificate of Compliance along with the appropriate paperwork.

V. Gingrich stated that a site visit determined that all conditions have been met and R. Hale confirmed.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 52 Adams Street – Map 51  
Parcel 99 – DEP File #344-1300

**CERTIFICATE OF COMPLIANCE – 45 Industrial Way – Map 46 Parcel 110 – DEP File #344-1310**

Documents: Letter from Allen & Major Associates, Inc., dated July 19, 2017  
As-Built Plan, dated July 8, 2016

T. Williams, Allan & Major Associates, Inc. submitted the Request for Certificate of Compliance along with the appropriate paperwork.

V. Gingrich stated that a site visit determined that the installed plants along the stormwater features had at least an 80% survival rate that all conditions were met.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 52 Adams Street – Map 51  
Parcel 99 – DEP File #344-1310

**VOTE ELECTION OF OFFICERS – CHAIR and VICE CHAIR**

VOTED: To elect Julie Flynn, as Chair and Sharon Kelley-Parrella as Vice Chair of the Conservation Commission.

**AGENT UPDATE –**

V Gingrich introduced Ryan Hale to the Commission.

**MINUTES – July 5, 2017**

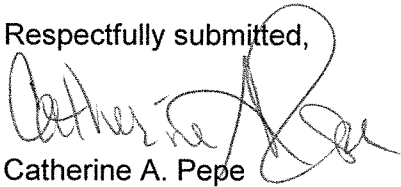
VOTED: To approve the minutes for July 5, 2017

**ADJOURN**

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

VOTED: To adjourn the meeting at 9:51 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

