



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

PLANNING & CONSERVATION
DEPARTMENT

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CONSERVATION COMMISSION MINUTES

August 5, 2015

Julie Flynn, Chair, called the meeting to order at 7:02 p.m. Sharon Kelley-Parella, Don Pearson, and Charles Rooney III were present. Laurie Finne, Michael McInnis, and Vincent Licciardi were absent. Winifred McGowan, Assistant Director of Planning & Conservation, was also present.

**CONTINUED PUBLIC HEARING - NOTICE OF INTENT - 9 CROSS STREET - MAP 39
PARCEL 5 - DEP FILE #344-1313, STORMWATER MANAGEMENT PERMIT #15-5**

Documents: Yentile Farm Recreational Facility 20 sheets revised 7/10/2015
Notice of Intent Presentation Plan revised 7/10/2015
Memo from Green International with responses to Town stormwater comments and revised calculations dated 7/10/2015
Memo from Green International dated 7/6/2015 with proposed seed mixes
Memo from Paul M. Alunni, Town of Wilmington Engineer dated 7/14/2015

Present in interest: Danielle Spicer, Green International
Juli Riemenschneider, Green International
Luke Boucher, Green International
Josh Atkinson, Stantec

D. Spicer addressed the concerns the Commission and Town Engineer raised at the last meeting and explained changes that were made in the plans and calculations. She stated that the revised plans and calculations are acceptable to the Town Engineer. The revisions include added details, the seed mixes, changes in the pre-treatment for the bioretention basin, elevations, and calculations. They also added seed information.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 9 Cross Street – Map 39 Parcel 5 – DEP File #344-1313 and Stormwater Management Permit #15-5

VOTED: To issue an Order of Conditions for 9 Cross Street - Map 39 Parcel 5 - DEP File #344-1313

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – SILVER LAKE
- MAP 34 PARCEL 138**

Documents: Plan titled Silver Lake Beach Proposed Playground Replacement dated 7/18/2015

Present in interest: Paul Alunni, Town of Wilmington

P. Alunni presented a plan to remove and replace an existing playground at Silver Lake. Only a small portion of the work is in the buffer zone. There will be very little disturbance when installing

new footings and the accessible surface. W. McGowan said she does not believe the man-made beach meets the definition of a resource area.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for Silver Lake playground area - Map 34 Parcel 138

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – 2
SHERBURN PLACE - MAP 33 PARCEL 101**

Documents: Existing Site Plan dated 7/18/2014 with work sketched on, revised 8/5/2015

Present in interest: Kevin Carmichael, Summit Contracting NE

K. Carmichael presented a plan to remove and construct a deck. It will be about 40 feet from the wetlands. They will be removing two sections of fence to access the area and will reinstall them after the project. There was a brief discussion regarding the location of the erosion controls. The applicant agreed to change the location and marked it on the proposed plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 2 Sherburn Place - Map 33 Parcel 101

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – WILDWOOD
STREET SUBSTATION – MAP 50 PARCEL 105**

Document: aerial photo with work sketched on

Present in interest: Matt Brown, Reading Municipal Light

M. Brown presented a plan to maintain a proper clearance at the Wildwood Street Substation. They will be removing 3 trees that pose a hazard to the equipment at the substation. The trees are at the edge of the clearing in the floodplain. There are a number of shade trees next to those which will remain.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for Wildwood Street Substation – Map 50 Parcel 105

**CONTINUED PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – 5
CHEROKEE LANE – MAP 85 PARCEL 7D**

Document: As-built Topographic Plan of Lot 92 Cherokee Lane revised 8/5/2015 (work sketched on)

Present in interest: Lori Williams, owner

L. Williams resented a plan to widen her driveway. She stated that the edge of asphalt will be at a 45 degree angle but she was not sure how the fill would be stabilized. She was asked to get the detail from the paving firm. L. Williams added the erosion control details to the plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 5 Cherokee Lane - Map 85 Parcel 7D with conditions

PUBLIC HEARING - NOTICE OF INTENT - 21 WOBURN STREET - MAP 103 PARCEL 23B - DEP FILE #

Documents: Topographic Plan of Land dated 6/22/2015
Drainage Calculation Sheet dated 6/11/2015 with undated Driveway Details Plan

Present in interest: Mary Trudeau, wetlands consultant
Bucci Fonzi, builder
Steve Doyan, owner

M. Trudeau presented plans to build an attached breezeway and garage to an existing single family home. Work is within 100 feet of Bordering Vegetated Wetlands with an intermittent stream, Zone 2 wellhead protection area, and driveway is in floodplain. The existing car cover will be removed from the floodplain. The second car cover will be staying. Three new drywells will be added to handle the stormwater runoff for the house to replace the existing system. The proposed stone driveway is located in the land subject to flooding. Erosion controls will be used. Two 30 inch pines will be removed. The existing paved driveway will be staying. M. Trudeau deferred presentation and answers to stormwater and engineering items until the designer could attend. N. Farako, abutter, stated that she is concerned that this project will cause water problems on her property. She asked why they are allowed to work in the buffer zone. M. Trudeau explained that work within the 100 foot buffer zone requires a wetland permit but it is not considered a resource area. There was a brief discussion regarding how details on the plan were marked. They agreed to make some changes on the plan to make the information clearer. DEP has not issued a wetland permit number as of yet, so the Commission cannot close the hearing.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for 21 Woburn Street - Map 103 Parcel 23B – DEP File # until September 2, 2015 with the applicant's consent.

PUBLIC HEARING - NOTICE OF INTENT - 5 HOPKINS STREET - MAP 22 PARCEL 10D - DEP FILE #344-1315

Documents: Site Plan dated 7/17/2015
Email from Paul Alunni, Town Engineer dated 7/31/2015

Present in interest: Greg Saab, ESS
John Mangano, applicant

G. Saab presented a plan to raze an existing dwelling and build a new single family home. They will use the existing septic system but replace the tank. They will leave most of the driveway and remove the rest of the loop that is on the neighboring lot. Stormwater infiltrators will be installed to handle stormwater runoff from the roof. This project will reduce the impervious area on this property. They added infiltration for the driveway area. In response to questions G. Saab said the infiltrator trench next to the drive could be extended to the low point and indicated that an easement will be granted and recorded when the property is sold. He said they could keep some of the trees closest to the wetlands to provide shade even if they cleared the undergrowth and made lawn. He said they did not need to cut trees all the way to the rear erosion control line, but would remove trees that are dead or in danger of falling. They stated that they would like the lawn to extend southerly at least in line with wetland flag #7. In response to questions G. Saab said the wall is 2-4 feet and the grade comes up to the stairs in the front. The snow storage will be towards the septic system. A fence will be installed as the permanent demarcation.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for 5 Hopkins Street - Map 22 Parcel 10D – DEP File #344-1315

VOTED: To issue an Order of Conditions for 5 Hopkins Street – Map 22 Parcel 10D – DEP File #344-1315

PUBLIC HEARING - REQUEST FOR AN AMENDMENT - 14 KANSAS ROAD - MAP 36 PARCEL 186 - DEP FILE #344-1116

Documents: Plan titled Proposed Subsurface Sewage Disposal System dated 7/17/2015

Present in interest: Greg Saab, ESS

G. Saab presented a plan to amend the existing Order of Conditions. They have moved the house, driveway, and septic location.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Amendment for 14 Kansas Road - Map 36 Parcel 186 – DEP File #344-1116

OTHER BUSINESS

REQUEST FOR AN EXTENSION PERMIT - 14 KANSAS ROAD - MAP 36 PARCEL 186 - DEP FILE #344-1116

Documents: Letter from Greg Saab Dated 7/20/2015

Present in interest: Greg Saab, ESS

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Extension Permit for 14 Kansas Road - Map 36 Parcel 186 - Order of Conditions DEP File#344-1116 until November 21, 2016

REQUEST FOR AN EXTENSION PERMIT - 13 RHODE ISLAND ROAD - MAP 36 PARCEL 186B - DEP FILE #344-1115

Documents: Letter from Greg Saab Dated 7/20/2015

Present in interest: Greg Saab, ESS

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Extension Permit for 13 Rhode Island Road - Map 36 Parcel 186B - Order of Conditions DEP File#344-1115 until November 21, 2016

REQUEST FOR AN EXTENSION PERMIT - 11 RHODE ISLAND ROAD - MAP 36 PARCEL 186A - DEP FILE #344-1114

Documents: Letter from Greg Saab Dated 7/20/2015

Present in interest: Greg Saab, ESS

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Extension Permit for 11 Rhode Island Road - Map 36 Parcel 186A - Order of Conditions DEP File #344-1114 until November 21, 2016

REQUEST FOR AN EXTENSION PERMIT - KANSAS ROAD / RHODE ISLAND ROAD - MAP 36 PARCEL 186 - DEP FILE #344-1113

Documents: Letter from Greg Saab Dated 7/20/2015

Present in interest: Greg Saab, ESS

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Extension Permit for Kansas Road / Rhode Island Road - Map 36
Parcel 186 - Order of Conditions DEP File #344-1113 until November 21, 2016.

DISCUSSION - 3 HAROLD AVENUE - MAP 23 PARCEL 24

Neither the owner or wetland consultant attended. DEP had contacted the Norse Environmental, the wetlands consultant, about the enforcement. Norse Environmental responded that the owner authorized them to proceed and they will be submitting the restoration plan within a week.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Enforcement Order that requires a restoration plan by August 25, 2015

DISCUSSION - 38 UPTON DRIVE - MAP R1 PARCEL 18 - DEP FILE #344-802

Present in Interest: Andrew Pojasek, Engineer, Dana F. Perkins Inc.

A. Pojasek said the owners asked that they be allowed to leave pipes that are along the property line where there is no fence. It is outside the Buffer Zone. The pipes help to keep off-road vehicles from coming onto the property. The Commission agreed to let them keep those pipes while removing the other pipes from the property.

CERTIFICATE OF COMPLIANCE - 2 BIRCH ROAD - MAP 31 PARCEL 13A - DEP FILE #344-516

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 2 Birch Road - Map 31 Parcel 13A - DEP
File #344-516

CERTIFICATE OF COMPLIANCE – 36 UPTON DRIVE - MAP R1 PARCEL 18L - DEP FILE #344-734

Present in Interest: Andrew Pojasek, Dana F. Perkins Inc.

A. Pojasek stated that the owners will remove pipe and curbing that is being stored in the Buffer Zone on the parcel. The project was not built.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 36 Upton Drive - Map R1 Parcel 18L -
DEP File #344-734 and hold it until the materials are removed.

**CERTIFICATE OF COMPLIANCE - 18 DORCHESTER STREET – MAP 11 PARCEL 4 - DEP
FILE #344-1076, #344-1295**

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 18 Dorchester Street – Map 11 Parcel 4 -
DEP File #344-1076

VOTED: To issue a Certificate of Compliance for 18 Dorchester Street – Map 11 Parcel 4 -
DEP File #344-1295

CERTIFICATE OF COMPLIANCE - 1 POND STREET – MAP 34 PARCEL 151 - DEP FILE #344-1150

W. McGowan noted that the owner has a solid fence within the scenic easement, a violation of the Order and the deed restriction, which he said he would move, and he made several changes that were not approved first.

Upon motion duly made and seconded, it was unanimously

VOTED: To table the Request for a Certificate of Compliance for 1 Pond Street Map 34 Parcel 151 - DEP File #344-1150

EMERGENCY CERTIFICATION - I-93 NEAR KILMARNOCK STREET - MAP 73 - BEAVER DAM

W. McGowan reported that she issued an Emergency Certification to Mass DOT for removal of a newly constructed beaver dam in the stream near Kilmarnock Street, after receiving a declaration from Reading of a threat to public health and safety caused by water backing up into Reading.

Upon motion duly made and seconded, it was unanimously

VOTED: To ratify the Emergency Certification for work in the I-93 ROW near Kilmarnock Street.

MINUTES - June 3, 2015, July 1, 2015

The votes were tabled until at least 4 Commissioners who attended those meetings are present.

ADJOURN

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

VOTED: To adjourn the meeting at 8:45 pm.

Respectfully submitted,

Elizabeth Lawrenson
Senior Clerk