



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

CONSERVATION COMMISSION MINUTES

September 5, 2018

Sharon Kelley-Parrella, Co-Chair, called the meeting to order at 7:02 p.m. Theron Bradley, Laurie Finne, Vincent Licciardi, Donald Pearson, and Julie Flynn, were present. Michael McInnis was absent. Ryan Hale, Conservation Agent, and Catherine Pepe, Senior Clerk of Planning & Conservation were also present.

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 24 Hobson Avenue – Map 45 Parcel 7A

Documents: Plot Plan of Land, revised April 13, 2018, modified by applicant August 7, 2018

Present in Interest: Kevin Mansfield, owner

K. Mansfield presented the proposed construction of a 10' x 12' deck off an existing screen porch in the rear of the house. It is in the 100-foot buffer zone and does not encroach on the wetlands. There is a current Order of Conditions for the construction of a garage addition for which erosion controls are already in place.

R. Hale pointed out that the project would be exempt if it was at least 50 feet from the wetlands, and is outside the floodplain and recommended a Negative (3) Determination.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (3) Determination of Applicability for 24 Hobson Avenue – Map 45 Parcel 7A with the added condition that erosion controls be installed and maintained according to manufacturer's specifications

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 5 Green Meadow Drive – Map 2 Parcel 202

Documents: As Built Plan, dated December 27, 2017, modified by applicant August 9, 2018

Present in Interest: John Raposo, owner

J. Raposo is requesting an after the fact approval for a 10' x 12' shed, 16' x 26' patio, 72' long retaining wall, and backfill behind the retaining wall. He would also like to plant an arborvitae privacy screen on the house side of the demarcation fence.

R. Hale advised that the work was done in the 100-foot buffer zone and Riverfront Area, and that the shed and patio would be a minor activity if they were greater than 50' from the wetlands. R. Hale advised that all work occurred on the house side of the demarcation fence and the area is stable, and recommended a Negative (2) Determination.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (2) Determination of Applicability for 5 Green Meadow Drive – Map 2 Parcel 202

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 20 West Street – Map 75 Parcel 13

Documents: Plot Plan of Land, dated July 28, 2018, modified by applicant August 13, 2018
Photographs, undated

Present in Interest: Catherine Weaver, owner
Robert Bonin

R. Bonin presented the proposed installation of a 200 square foot Reed's Ferry shed that is within 50' of Bordering Vegetated Wetlands (BVW). The shed will be installed on a crushed stone pad.

R. Hale advised that the proposed area for the shed is existing lawn. He recommended a Negative (3) Determination with an added condition that erosion controls be installed. R. Hale also asked R. Bonin to contact the Conservation Department if the shed ends up being installed on concrete piers as indicated in the application.

J. Flynn cautioned the homeowner to measure carefully before installing the shed as the Commission can ask them to move the shed if it is less than 25' from the wetlands.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (3) Determination of Applicability for 20 West Street – Map 75 Parcel 13 with the added condition that erosion controls be installed between the limit of work and the BVW and maintained according to manufacturer's specifications

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 18 Federal Street – Map 65 Parcel 1C

Documents: As-Built Plan, dated April 15, 2010, modified by applicant August 15, 2018
As-Built Plan, dated April 15, 2010, modified by applicant September 5, 2018

Present in Interest: Michael Nugent, owner

M. Nugent presented the proposed installation of a fence on the house side of the demarcation boulders. The fence would go to the ground, around his existing back yard in the 100-foot buffer zone of wetlands and potentially Riverfront Area. M. Nugent distributed revised plans showing the fence 7' off the demarcation line along the wetland, to scale.

J. Flynn asked if the demarcation line was a row of boulders and R. Hale confirmed it was. R. Hale stated the boulders were placed along the wetland boundary and the original Order of Conditions did not impose 15- and 25-foot setbacks as ongoing conditions. All commissioners agreed the fence could go to the ground as there would still be room for wildlife passage between the fence and the demarcation boulders. R. Hale recommended a Negative (2) Determination with proper erosion control installation.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (2) Determination of Applicability for 18 Federal Street – Map 65 Parcel 1C with the added condition that erosion controls be installed around the limit of work and maintained according to manufacturer's specifications

**PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 5
Kidder Place – Map 51 Parcel 15**

Documents: Plan of Lot 15, dated July 16, 2003, modified by applicant August 15, 2008
Photographs, undated

Present in Interest: James Girardi, owner

J. Girardi presented the proposed 10' x 16' screened-in room on a portion of an existing deck that is about 95' from the wetlands.

R. Hale recommended a Negative (3) Determination.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (3) Determination of Applicability for 5 Kidder Place – Map 51 Parcel 15

**PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 2
Oxbow Drive – Map 47 Parcel 1C**

Documents: Site Plan, revised July 23, 2018
Engineering Memorandum from William Holt, Town Engineering Division, September 4, 2018

Present in Interest: Luke Roy, LJR Engineering, Inc.
Carl Crupi, C.C. & Sons Builders

L. Roy presented the proposed construction of a new home. The home is outside the 100' buffer zone, but the driveway, grading, and some of the utility connections in the front of the lot fall within the 100' buffer of wetlands across the street.

R. Hale reviewed the comments by the Town of Wilmington's DPW Engineering Division as follows:

1) The swale to the left of the proposed dwelling could be impacted by the proposed grading. L. Roy did not think that the proposed grading would cause significant enough ponding to cause it to overflow into the wetlands on Oxbow Drive.

2) A silt sack insert should be installed in the Woburn St and Oxbow Drive and on Oxbow Drive easterly of #776 Woburn Street. L. Roy agreed with Engineering's comment.

(3) The construction entrance shall be installed and inspected by the Engineering Division prior to the commencement of construction. L. Roy agreed with Engineering's comment.

R. Hale suggested the added condition that appropriate erosion controls be installed per the Engineering Division's comments and maintained. He recommended a Negative (3) Determination.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve a Negative (3) Determination of Applicability for 2 Oxbow Drive – Map 47 Parcel 1C with the added condition that erosion controls be installed around the limit of work and maintained according to manufacturer's specifications until all areas are permanently stabilized and that they be inspected by Conservation Agent prior to construction

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
Benevento Sand & Stone Wetland Replication Plan 800-900 Salem Street, dated August 2018, 3 pages
Benevento Sand & Stone Stockpile Area Along Northern Quarry Face Plans, 219 Andover Street, dated August 2018, 3 pages
Benevento Sand & Stone Quarry Design for Wetlands & Buffer Infringement Corrective Actions Stockpile Area Along Northern Quarry Face Wilmington, MA, dated August 2018
Letter from Ryan Hale, Conservation Agent, dated August 28, 2018

Memorandum from Paul Alunni & William Holt, Town Engineering
Division, dated September 4, 2018

Present In Interest: Robert Golledge, Golledge Strategies and Solutions
William Schneider, Benevento Sand & Stone, Inc.
Dylan Conlon, EA Engineering, Science, & Technology, Inc.
Taber Midgley, EA Engineering, Science, & Technology, Inc.

R. Golledge advised that R. Hale's and the Engineering Division's comments on the Notice of Intent that Benevento Sand & Stone submitted have been reviewed. Benevento will submit additional comments in regards to R. Hale's concerns. F. Golledge acknowledged Engineering's concerns regarding the structural analysis for the slope stability in the area where there was erosion into the wetlands and for encroachment onto adjacent properties. Benevento's property is being surveyed to ensure there are no further encroachments. The replication area requires a fair amount of work to be done by Benevento before the end of the growing season, but R. Golledge thinks that the Order of Conditions is drafted in such a way that they can likely meet the deadline if the Conservation Commission approves the Order of Conditions now. Additional jute mats were placed on the slope to stabilize it per R. Hale's request.

R. Hale summarized the concerns regarding the proposed wetlands replication and its proposed forested upland location. He made a site visit with W. Schneider today. The pine and oak trees that are proposed to remain in the replication area may be stressed due to the grade of the slope and the 2:1 grading may damage the existing tree roots. R. Hale suggested creating an upland hummock for the existing trees. The site plan and the mitigation plan specify different numbers of trees and shrubs and asked that it be clarified. The Base Flood Elevation should be based on elevation rather than GIS maps. The floodplain capacity will increase compensation with the regrading – an added benefit. Erosion controls will remain and cannot be temporarily removed during the construction. R. Hale recommends silt fence and hay bales for erosion controls on the edge of the replication area. Erosion controls should also be placed at the base of new slope to prevent erosion into the replication area. The wording for the construction access route in the Notice of Intent is confusing. They are being called paths and routes interchangeably. Please clarify the terms used. The location of truck and equipment washing should be specified and out of the wetland area. Removed vegetation can be removed onsite or offsite, but must be out of the 100' buffer.

R. Hale asked what will happen to the large stockpile. If it is removed, how will the area be restored? If it stays, what will the stockpile look like? The trees in the adjacent upland area that are being removed, should also be replaced. Finally, some kind of signage should be installed to warn of wetlands and to "stay away". Most of the items can be resolved through the Order of Conditions, but there is concern regarding the trees.

R. Hale asked when the data will be available for the stockpile. D. Conlon advised that they are hoping to get that back from the geotechnical engineer in the next few weeks. R. Hale advised that an Order of Conditions has been drafted but it will be difficult to comment on the slope until that data is received. Also, the upland restoration needs to have some invasive species removed which will benefit the area. R. Hale reviewed the Special Conditions. R. Golledge asked that Condition #43 be re-worded to say that the

position and amounts be coordinated and approved as the project progresses. The Commission agreed and R. Hale agreed to add it to the monitoring condition.

T. Bradley questioned the trees planned in the hummock area and if the grading in that area is planned to limit the number of trees to be removed. R. Hale suggested that if any of the trees show signs of distress during the two (2) year monitoring period that it be replaced according to our tree policy.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 219 Andover Street – Map R1 Parcel 19A – DEP File #344-1393

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 219 Andover Street – Map R1 Parcel 19A – DEP File #344-1393 with the revised special conditions

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
Existing Conditions Plan, dated July 9, 2018, 3 pages
Narrative Response to Regulation 10.58, dated April 26, 2018, revised
Email Request to Continue, dated September 5, 2018

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 October 3, 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

Existing Conditions Plan, revised August 10, 2018, 7 pages
Memorandum from Paul Alunni, Town Engineering Division, dated
September 4, 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 advised the Commissioners that Stormwater Management Permit and Site Plan Review applications have been filed with the Planning Board. The applicant's engineer and the Town of Wilmington's Engineering Division are working closely to ensure the project meets the stormwater requirements. The applicant has been working to obtain permission from the adjacent property owner for the work that will occur there. R. Hale suggested a condition to allow that work to occur once permission is obtained.

R. Hale stated the project as proposed will bring the site back into compliance with the Riverfront Area performance standards. R. Hale asked what plantings are proposed. M. Newhouse stated that a more detailed plan is forthcoming. S. Eriksen is leaning towards additional loam, shrubs, and native seed mix due to the amount of ledge in the area as trees probably will not survive.

M. Newhouse requested to continue the hearing until the October 3, 2018 Conservation Commission Meeting.

D. Pearson questioned the disagreement of whether the site was a land use with higher pollution potential. M. Newhouse will confirm that with the DPW Engineering Division and advise the Commission at the next hearing.

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 October 3, 2018 Conservation Commission
Meeting

**PUBLIC HEARING – NOTICE OF INTENT – 0 North Washington Avenue – Map 53
Parcel 14-114 – DEP File #344-1413**

Documents: Proposed Site Plan Resource Improvement Plan, dated August 13, 2018

Present in Interest: Andrew Pojasek, Dana F. Perkins, Inc.
Patrick Seekamp, Seekamp
John Cucinotta, owner

P. Seekamp advised that the wetland lines have clearly been marked. The restoration plan calls for the slash from topping the trees to be removed, the logs on the ground be left in place, the stumps be removed and chipped, and the pile of landscape debris be removed. The planting plan includes three (3) shad bush (that grow to 12' in height) and five (5) high bush blueberries to be placed along the property boundary to eventually serve as a living fence between the Town owned land and the homeowner's property. Signage will be installed advising the public that it is Town Conservation Land. A status

report will be provided during the first and second growing season. P. Seekamp asked if a demarcation fence and/or demarcation boulders are necessary in addition to the high bush blueberries.

R. Hale advised that the demarcation fence and/or boulders is meant for current and future owners. D. Pearson voiced concern that the proposed restoration plan will not restore the area to its previous value. D. Pearson raised the idea of lengthening the monitoring of the growing season and removing the existing debris on the ground to better visualize the proposed restoration. P. Seekamp would like to take only the tops of what the homeowner removed and leave the rest of the debris in place. D. Pearson suggested planting some taller trees. P. Seekamp advised that the understory growth will regenerate with the removal of the overstory and feels that it will "heal" over time. D. Pearson asked what could be expected in five (5) years. P. Seekamp offered that the trees will fill in and shade will be restored. The Quaking Aspen and the Birch will fill in quickly. The oaks, beech, and sugar maples are more receptive to shade.

R. Hale suggested planting saplings to speed up the process so the Norway Maple does not overtake the area. P. Seekamp advised that there are plenty of native species saplings and trees there that will thrive. D. Pearson suggested removing some of the Norway Maple. J. Flynn advised that this was not a natural occurrence and had this been a Notice of Intent, the Commission's Tree Policy of a 1:1 ratio would have been considered. P. Seekamp advised that digging a 2'-3' hole to plant a tree will be too difficult given the root mass that exists and could potentially damage existing vegetation.

P. Seekamp proposed a 2-step process. Remove the debris that was caused by the damage done by J. Cucinotta. Then have R. Hale do a site visit and agree what can be planted and where. J. Flynn suggested putting a minimum number of trees in the Order of Conditions. P. Seekamp offered planting a 5-6' whip instead of a more mature tree.

V. Licciardi asked that the number of trees be specified after the debris is removed. The Commission agreed to shrubs as a demarcation line with signage.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 0 North Washington Avenue – Map 53
Parcel 14-114 – DEP File #344-1413

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for North Washington Avenue – Map 53
Parcel 14-114 – DEP File #344-1413 with the amended special conditions

**PUBLIC HEARING – NOTICE OF INTENT – 61 Ashwood Avenue – Map R4 Parcel
121 – DEP File #344-1412**

Documents: Existing Conditions Plan, dated August 3, 2018

Present in Interest: Steve Eriksen, Norse Environmental Services, Inc.

S. Eriksen presented the proposed replacement of the nine (9) trees the homeowner cut down that were on Town-owned Conservation Land, in wetlands, and on a Conservation

Restriction, with 13 trees. The replacements would be 1"-1.5" caliper maple, white oak, and pine trees. S. Eriksen would like to modify some of the special conditions. He would like to leave the pile of brush to deteriorate naturally (Condition #41) or get a chipper to shred the debris and leave it in place. S. Eriksen does not want to monitor for two (2) years. Condition #45 requests an As-Built Plan and he does not want to do an as-built plan as all it will show the plants that are planted. S. Eriksen does not want a pre-construction meeting with all the involved parties and wants to plant smaller than 1-1.5" trees as they are not as heavy.

R. Hale advised the slash and lawn piles should be removed as they are not a natural feature. The debris was dragged in by hand and can be removed by hand. Two (2) full growing seasons and monitoring reports are standard. An as-built may not be required, but a plan, possibly called a modified planting plan, could be submitted. R. Hale advised that the homeowner, and possibly the contractor should attend the pre-construction meeting and that Norse Environmental Services does not have to attend. R. Hale also advised that the applicant will need Town approval to work on the Town owned land. A template form was emailed to Norse Environmental Services to fill out and submit to the Town Manager for signature.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 61 Ashwood Avenue – Map R4 Parcel 121 – DEP File #344-1412

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Order of Conditions for 61 Ashwood Avenue – R4 Parcel 121 – DEP File #344-1412 as amended per the discussion

EMERGENCY CERTIFICATION – 141 Shawsheen Avenue – Map 33 Parcel 49

R. Hale issued the Emergency Certification to the Town of Wilmington for the Veteran Services Building. A maple tree overhanging the parking lot and a large dead pine tree were ready to fall. The Town cut the trees and left the stumps.

Upon motion duly made and seconded, it was unanimously

VOTED: To ratify the Emergency Certification for 141 Shawsheen Avenue – Map 33 Parcel 49

EMERGENCY CERTIFICATION – 10 Gearty Street – Map 82 Parcel 51-151

R. Hale issued the Emergency Certification as some trees behind the fence fell and were being dangerously held up by trees in the homeowner's yard.

Upon motion duly made and seconded, it was unanimously

VOTED: To ratify the Emergency Certification for 10 Gearty Street – Map 82 Parcel 51-151

NOTICE OF VIOLATION – 401 Woburn Street – Map 77 Parcel 4

R. Hale received a call that the homeowners at 401 Woburn Street were filling in an in-ground pool and there were large stockpiles within 100' of the wetlands and potentially Riverfront area. R. Hale stopped all work and advised the homeowner to submit the proper wetlands application in time for the October 3, 2018 Conservation Commission Meeting.

NOTICE OF VIOLATION – 22 Ashwood Avenue – Map R4 Parcel 39

R. Hale advised that the homeowner brought in approximately 6-7 truckloads of material to re-grade his yard. It was piled in the back of the lawn that slopes directly into wetlands. R. Hale advised the homeowner to stop all work and install silt fence immediately. The homeowner is now debating whether to submit for a conservation permit to continue with the regrading or to not do the regrading at all and have the material removed.

NOTICE OF VIOLATION – Marion St Rear, 14 Michael Drive, Burlington – Map 14 Parcel 8

Documents: Restoration Plan for Marion Street (14 Michael St, Burlington) – Map 5 Parcel 8

R. Hale advised that the backyard of 14 Michael Drive, Burlington is in Wilmington. The homeowner has cleared nearly the entire forested 100' buffer zone on the property, which abuts Conservation Land and Bordering Vegetated Wetlands (BVWs) associated with Mill Brook. The homeowner claims that the previous Conservation Agent gave the homeowner permission to clear cut the backyard, but has nothing in writing. The Enforcement Order requires that the restoration be completed by October 31, 2018.

The homeowner made observations over a four (4) day period that showed that Mill Brook was dry least 4 days and therefore has no Riverfront Area. The restoration proposal that was submitted proposed planting fifteen (15) shrubs along the 15' setback.

R. Hale stated the restoration plan does not propose any tree replacement and there is no documentation on adjacent natural areas for reference in determining species selection, spacing, etc. as required in the Enforcement Order.

J. Flynn reminded the Commission they would never have agreed to all the clearing. The violation must be rectified before the Notice of Intent (NOI) can be considered. The NOI is separate from the restoration plan. J. Flynn suggested that the Commission not accept the restoration plan and issue a new Enforcement Order for the restoration. R. Hale stated that the enforcement order can only address what is needed to protect the wetlands. J. Flynn suggested negotiating the buffer zone restoration area, starting with 50'.

REQUEST FOR CERTIFICATE OF COMPLIANCE – I-93 Northbound at Rt. 125 Off-Ramp – Map R2 Parcel 96 – DEP File #344-1267

Documents: Letter from JR O'Connell & Associates, Inc., dated September 4, 2018
Construction Plan As-Built, dated October 27, 2014, 2 pages

Present in Interest: Brian Dundon, RJ O'Connell & Associates, Inc.

B. Dundon advised that the work is complete and that grades were not provided on the original plans that were submitted to and approved by the Department of Transportation (DOT); therefore they were not put on the As-Built. RJ O'Connell submitted a letter to the Conservation Commission requesting that the Commission waive the grades on the As-Built Plan.

R. Hale advised that the grades do not impact the plan. He did request that RJ O'Connell remove the "proposed" on the plans. J. Flynn also asked that the old curbing be removed from the plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for I-93 Northbound at Rt. 125 Off-Ramp – Map R2 Parcel 96 – DEP File #344-1267 after the As-Built plan is revised as requested.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 210 Ballardvale Street – Map R2 Parcel 21 – DEP File #344-1244

Present in Interest: Brian Dundon, RJ O'Connell & Associates, Inc.

B. Dundon advised that the work in the original Order of Conditions, DEP File #344-1244 has been completed and they are well into the six (6) reports required over the 10-year wetland monitoring period as required by the Army Corps of Engineers (ACOE). ACOE requested an additional report as some vegetation was unintentionally cleared in the buffer zone. The vegetation was replanted and is doing well.

R. Hale advised that the wetlands are doing great and the reports reflect that.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for 210 Ballardvale Street – Map R2 Parcel 21 – DEP File #344-1244

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

R. Hale advised that the notification to the new owners has been received and all requirements have been met.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Certificate of Compliance for 8 West Jamaica Avenue – Map 70 Parcel 21 – DEP File #344-1060

DISCUSSION – 60 Adams Street – 10' x 10' Front Foyer Addition

Present in Interest: Julie Chen, homeowner
SuSu Wong, homeowner

Julie Chen and SuSu Wong distributed a plan showing a proposed front foyer addition in place of an existing 10' x 10' deck. R. Hale advised that the house is in Riverfront Area and a 10' x 10' addition is a minor impact which may be a candidate for a Request for Determination of Applicability instead of an NOI. The Commission agreed.

DISCUSSION – Spruce Farm Erosion Controls/Fosters Pond

R. Hale advised that a couple months back the backside of the project had a significant watershed with exposed soils and large stockpiles. Sediment laden water flowed over and eroded under the silt fence and into a stream that flows to Fosters Pond during a heavy rain event. Steve Wright, the developer, corrected it immediately, but it happened again with a more recent heavy rain. L. Roy of LJR Engineering designed a stormwater retention/infiltration basin at the point of the erosion control breach to prevent future discharges. S. Wright has been very responsive to the events and has reached out to Stephen Cotton, the President of Fosters Pond Corporation, to ensure they are satisfied with the actions that have been taken.

DISCUSSION - Conservation Commission Meeting Schedule –

R. Hale advised that Jeff Hull, Town Manager, suggested a three (3) month trial from March through May of 2019 to see how that works out. S. Kelley-Parrella asked why just three (3) months and R. Hale thought it may be to assess the logistics and timing associated with the additional workload in the departments involved.

The Commission agreed to the three (3) month trial.

DISCUSSION - Town Clean Up Day – September 22, 2018

R. Hale asked the Commissioners to please spread the word. All members of the public are invited.

MURRAY HILL – Erosion Control Concerns

R. Hale advised that there have been consistent issues with the erosion controls that are not being properly addressed by the developer. There is a Superseding Order of Conditions (SOOC) from the Department of Environmental Protection (DEP). DEP and the EPA will be notified of the ongoing issues. The Town of Wilmington has shut down Phase 3 of the project until all erosion control issues are corrected.

DISCUSSION – 7 Edwards Rd/Sherwood Road

Present in Interest: Doug Lees, Lees Engineering
Jonathan Langone, Langone Development

D. Lees distributed plans for 7 Edwards Road/Sherwood Road. D. Lees advised that Sherwood Road is a public road, but the portion in question is unaccepted and unpaved. The wetlands are on Town owned land that ties into a culvert. The applicant will request an easement over the culvert. There is enough room to bring the pavement around the wetlands, though it will only be 5' from wetlands. They would like to pave the full section, create a swale with check dams, and a culvert that will go under the proposed driveway, then create a smaller swale to catch the water and bring it beyond the wetlands.

R. Hale advised that this is a limited project so it does not have to meet all the standards. R. Hale questioned the size of the catchment swale next to and to the north

of the wetlands and the check dams. He is concerned with ponding and the necessity of check dams.

V. Licciardi asked who the applicant would need permission from to remove the trees on the road easement. R. Hale advised they would have to ask the Town and reminded D. Lees that they will need to follow the tree removal policy. R. Hale asked if a fence or guard rail could be placed where it starts to taper off to help eliminate the debris being placed there. J. Langone offered replacing trees with 2:1 shrubs which will create a barrier. J. Flynn also brought up the snow dumping issue during the winter months.

L. Finne asked that the road easement ownership and permission concerns be addressed before the project moves forward. R. Hale commented that the Planning Department and the Engineering Division will clarify that during the Stormwater process.

MINUTES – August 1, 2018

Upon motion duly made and seconded, it was unanimously

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

ADJOURN

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

VOTED: To adjourn the meeting at 10:24 pm.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Catherine A. Pepe", written over a horizontal line.

Catherine A. Pepe
Senior Clerk

