



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 www.wilmingtonma.gov (978) 658-8238

RECEIVED
TOWN CLERK
NOV 5 11 AM 2021

CONSERVATION COMMISSION MINUTES

September 1, 2021

Donald Pearson called the meeting to order at 7:30 p.m. Theron Bradley, Laura deWahl, Nestor John Salazar, and Vincent Licciardi were also present. Alexander Rittershaus and Michael McInnis were absent. Valerie Gingrich, Director of Planning & Conservation, Cameron Lynch, Conservation Agent, and Jayne Wierzbicki, Senior Clerk of Planning & Conservation were also present.

PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 56 Adams Street – Map 50 Parcel 3A

Documents: Request for Determination of Applicability application, received August 17, 2021
“Certified Plot Plan”, dated May 11, 1988, as modified by applicant

Present in Interest: Krista Carreau & Matthew Furrier, owners

K. Carreau requested to remove multiple trees on the property. Stated that trees were leaning towards the house and branches started falling in. Multiple clusters on property including four (4) trees in one stump as well as two (2) clusters of three (3). Noted that a wetland specialist came and delineated the wetlands on the property.

C. Lynch stated that all trees were pretty small, none are within 15' of wetlands, and cutting the trees would not make a difference in tree cover since the area is dense. Suggested planting three (3) or four (4) replacement trees or shrubs, decision is up to the owners to choose. Once the replacement species have been decided, a site visit is required to decide the location of replacements. The owners agreed to plant replacements.

Upon motion duly made by V. Licciardi and seconded by T. Bradley, it was unanimously (5-0)

VOTED: To issue a Negative (3) Determination of Applicability for 56 Adams Street – Map 50 Parcel 3A

PUBLIC HEARING – NOTICE OF INTENT – 5 Navajo Drive – Map 13 Parcel 3H – DEP FILE #344-1487

Documents: Notice of Intent application, received August 18, 2021
“Plan of Proposed Pool”, dated June 15, 2021

Present in Interest: Andrew Thibault, Wetland Scientist with Goddard Consulting LLC

A. Thibault stated that currently on site is a concrete driveway leading up to a single-family house with an existing deck that sits within the 100' buffer zone to Bordering Vegetated Wetlands (BVWs). Maple Meadow Brook sits in the back of the site, the riverfront line has been an issue in the past due to

beaver activity. Aerial historic photographs show the riverfront line cutting through the property in the back. Client is proposing to build a 20'x40' pool with a proposed fence which cuts just into the 15' no disturb buffer zone, the pool itself is not within the 15' buffer zone. Around the exterior of the pool is 6' wide pervious paver patio, 8' wide on the side closest to the house. A 12" silt sock erosion control barrier is proposed outside of the fence.

C. Lynch stated per the previous order there needed to be demarcation at the 15' setback, advise to pull back to the 15' no disturb line in the two locations that the fence crosses over. A draft order is prepared as well.

T. Bradley asked if the pervious pavers that encroach on the 25' line radius are not considered building.

V. Gingrich stated that a patio is not typically included in the 25' structure setback. The order when the house was built said that a pool was not permitted within the 25', but the pool itself is outside the 25', it is the patio around the pool.

V. Licciardi asked how many feet beyond 25' are the pavers.

A. Thibault was unsure of exact measurement but will talk to the engineers to get the exact measurement.

T. Bradley asked if there was any way to shrink or pull back to avoid the 25' zone.

N. Salazar brought up the issue of backfill and where it will go when digging up the in-ground pool so that it does not flood into the wetlands. Advised a post install inspection to make sure backfill does not get placed into wetlands or past the 25' zone.

V. Gingrich advised to show grade changes if proposing to use the fill elsewhere. They do show some grade changes with the pool construction, but they would not be able to change grade by using that fill elsewhere without it being on the plan. There will be plan revisions, especially with the riverfront line. Asked if the applicant is willing to continue the hearing to the next meeting to make those changes. Comments can be addressed from tonight about the fence and pool setback.

D. Pearson asked if the riverfront line will be done in real time.

V. Gingrich stated that A. Thibault mentioned the riverfront line is closer to the house than depicted on the plan.

A. Thibault stated that the riverfront line will change to be a bit closer.

Upon motion duly made by T. Bradley and seconded by L. deWahl, it was unanimously (5-0)

VOTED: To continue the Public Hearing for 5 Navajo Drive – Map 13 Parcel 3H – DEP File #344-1488

PUBLIC HEARING – NOTICE OF INTENT – 1 Somerset Place – Map 78 Parcel 57 – DEP FILE #344-1488

Documents: Notice of Intent application, received August 18, 2021
"Site Plan", dated August 16, 2021

Present in Interest: Luke Roy, LJR Engineering, Inc.

L. Roy proposed an inground pool within the rear yard of existing single-family dwelling. Identified a wetland resource area, Bordering Vegetated Wetlands (BVW) on the proposed site plan that crosses the rear of the property, associated with an intermittent stream on the town land on the rear of the property. Proposed work for the pool is within existing altered buffer zone area existing lawn. The pool itself is 31' from the wetlands at the closest point, outside of 25' setback. There will also be a patio area around the pool which is also outside of the 25' setback. Existing fencing on site, adding fencing per code for safety around the pool, which will also serve as demarcation. Fencing runs along 15' no disturb buffer of wetlands. Erosion control is right outside of where the fence is going. Not located in groundwater protection district.

T. Bradley noted the shed encroaching on the 25' no buffer zone.

V. Gingrich looked into the shed and it did not appear that it has previously been approved. She stated that sheds are not typically allowed within 25'. There were two filings for the property; one from when it was built in which the shed was not on the plans. The other was an RDA (Request for Determination of Applicability) for a sunroom and deck, the shed was also not on that plan. It looks like the shed was put there without approval.

L. Roy has not looked closely at the shed and where it stands within the zone. Then noted it stands approximately 21' from the wetlands.

V. Gingrich restated that the applicant is willing to put the fencing as a no disturb fence and asked to decide if the shed could be detrimental to the wetlands. New fencing would fence off more than just the 15' no disturb, it would be in some areas closer to 25', but it is something to be considered amongst the Commission as to whether that tradeoff is acceptable and how it will function.

L. Roy advised there will be additional no disturb and pointed to the areas where it would be.

V. Licciardi would be okay with the continuation of the fence.

N. Salazar asked at this part of the process, where the additional equipment for the pool be located and stored (filters, pump, etc.), per the previous applicant at 5 Navajo Drive, they included the 8' extension. Asked if the applicant will be building another concrete pad for the additional pool equipment, in order to not encroach on the border of the pool.

L. Roy has not been given the information about where the additional pool equipment would go and if the owner plans on putting a concrete pad in or not.

N. Salazar advised that the next step would be coming back to answer the question on where the pool equipment would go and if a concrete pad would be necessary.

D. Pearson stated the two major issues are that the fence line, as it's drawn, gives more no disturb, will offset the fact that the shed is over the 25'.

L. deWahl stated that the shed looks to be 15x15' so it is unlikely to be on cinder blocks, rather it could be on a concrete pad and would therefore be hard to move. She commented that moving it would cause more disturbance.

D. Pearson stated that regarding the pool equipment, presumably the location of this would be in the footprint of the patio. Advised that the concrete pad should be outside of the 25'.

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To close the Public Hearing for 1 Somerset Place – Map 78 Parcel 57 – DEP File #344-1487

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To approve the Order of Conditions for 1 Somerset Place – Map 78 Parcel 57 – DEP File #344-1487

PUBLIC HEARING – NOTICE OF INTENT – 99 Fordham Road – Map 99 Parcel 135 – DEP FILE #344-????

Documents: Notice of Intent application, received August 18, 2021
"Non-Residential Site Plan Shriners Auditorium", 33 pages, dated August 16, 2021
Stormwater Management Report, dated August 16, 2021

Present in Interest: Brenton Cole, Granite Engineering, LLC
Jeff Merit, Granite Engineering, LLC

B. Cole representing Carlisle Capital Corporation, stated that the project would be at the end of Fordham Road. The property includes Shriners Auditorium, headquarters for Aleppo Shriners; existing building, surrounding paved parking, and at the top of the property is supplemental gravel parking for the Shriners' events. Sheet M1 in packet provided shows an access road that comes off the cul-de-sac that leads up to the supplemental parking area, this access is within 17'-20' of a BVW (Bordering Vegetated Wetland) and well within 100' buffer setback, outside of 15' no disturb setback. Currently there are no stormwater practices for the gravel area, sheet flows directly into the wetland currently. Propose to formalize gravel parking area with paved parking, striping, looking to retain existing gravel access road but pave it. New parking area will have two (2) stormwater best management practices (BMPs), including underground infiltration as well as a surface sand filter for the new pavement. Peak flows to the wetlands will be reduced, a lot of the existing gravel will be replaced with pavement, and be receiving treatment, double perimeter controls along the 15' no disturb buffer to prevent erosion. Notice of Intent (NOI) was submitted because of the work within the 100' buffer.

C. Lynch informed the Commission that the Engineering Department is still reviewing the plans.

V. Licciardi asked if there has there been any soil testing and if they hit ledge.

B. Cole stated that there has been testing specifically for stormwater and it has not hit ledge, however, they did hit unsuitable fill in the area where there are manmade slopes that perch up the gravel parking lot. The unsuitable fill will be taken out and new bank run gravel will be brought in to build up this parking area where there is already gravel.

V. Licciardi asked about the small area for storing snow during severe snowstorms in the winter season; if the snow would be stored in that area or be trucked offsite.

B. Cole stated that there is adequate area for storing snow which is confined to a fenced area and if there were large amounts of snow, it would be put outside of the fence or trucked offsite. Carlisle Capital has an agreement with Aleppo to take care of excess snow.

D. Pearson asked about the snow storage area and if it would be pushing up against the fence.

B. Cole stated that if there is too much snow and it is pushing up against the fence or if it were to overflow in the other areas onsite, it will be trucked offsite.

N. Salazar commented about the surrounding vegetation and asked about the usage of salt and if it was a no salt or limited salt zone. Advised to minimize the salt usage in the area.

B. Cole stated that he has not seen anything about salt usage and amount in the area.

V. Gingrich stated there is to be no rock salt, sodium chloride, used within 100' of BVWs (Bordering Vegetated Wetlands), which is a Standard Condition within all Orders.

D. Pearson advised to let the snowplows and movers know of the salt usage within 100' of BVW.

Laurie Ann Blair, an abutter at 81 Park Street stated that the residents of Park Street have a concern for their privacy because of proximity of the property and a concern for wildlife. Asked where the animals will go if they build these parking lots so close to the property line.

B. Cole said that the gravel lot largely consumes the area, but a small portion that is being developed is currently undeveloped. Any wetlands surrounding the property will remain in natural state.

D. Pearson asked if they plan to remove trees and plant replacements if that is the case.

B. Cole stated that they will be removing some trees around the perimeter and that they will plant replacement trees.

V. Gingrich stated that the Engineering Division is still reviewing plans but will have comments by next week and advised the Commission to continue to the next meeting.

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously

VOTED: To continue the Public Hearing for 99 Fordham Road – Map 99 Parcel 135 – DEP File #344-???? To the October 6, 2021 Conservation Commission meeting

PUBLIC HEARING – NOTICE OF INTENT – 154-156 West Street – Map 56 Parcels 1 & 2 – DEP FILE #344-1486

Documents: Notice of Intent Application, received August 18, 2021
"Site Plan" plan set, 4 pages, dated July 13, 2021

Present in Interest: Attorney Robert Peterson
Wesley Reed, Applicant/Owner
Tony Capachietti, Hayes Engineering, Inc.

Attorney R. Peterson client proposed to construct storage and sales yard for recycled granite products for the company Old New England Granite. East of Interstate 93, just West of Wilmington/Reading town

line. Site is currently vacant with remnants of previous commercial usage on the site, with 3 acres of land area, includes two (2) commercial parcels, paved areas, foundation remnants, soil piles and other man-made disturbances. North and Northeastern parts of the site contain marsh and swamp areas associated with the site. There is no riverfront area on site. Usage of the site would be for the storage and sales of recycled granite products, using hardscape materials to supply to homeowners and contractors with little onsite traffic, most of site will be devoted to open air storage and sales of the reclaimed granite product. Project has been designed and presented to comply with DEP performance standards for resource areas and the Massachusetts Stormwater Management Policy.

W. Reed commented on other types of recycled granite that is stored and sold onsite, granite fireplaces, granite cobblestones, curbing, block, various forms of reclaimed granite pieces from foundations, piers and bridges throughout the New England area.

T. Capachietti stated that the site is paved up front by West Street which drops off from the road considerably, a wooded area to the Northwest, Bordering Vegetated Wetland (BVW) wraps around the site to North and Northwest. Only onsite resource area is the BVW, there is a small portion of bordering land subject to flooding which is contained in the BVW. Proposed plan is to keep the bulk of the area roughly the same grade, using the existing area that was carved out of the slope to put granite storage bins and a display area up at the road showing the granite and what customers can do with it. They will not be paving the back of the site, 4" of washed stones to support the traffic flow. Most of the splitting of material is done by hand, drill and use wedge the old-fashioned way which is not a water laden process. Altogether the plan contains a 1500sq/ft office building, paved handicap parking per state requirements, garage at the lower level of building, and a gravel employee parking lot. Three (3) detention ponds, wet pond in the front, make the water feature to monitor the groundwater, the groundwater levels yesterday (August 31, 2021) were 80.4, the bottom of the pond is 81. Putting aquatic vegetation in the pond as a feature along with stormwater retention. Infiltration areas with vegetated swales, providing 80% treatment with MS4 requirements for the town being met. Also note that the onsite septic system is outside of the 100' buffer zone.

N. Salazar commented on the snow storage area at the bottom right of the property and posed the question about snow storage for the winter months that produce excess amounts of snow.

T. Capachietti noted that West Street is above the site by about 6' and the existing infiltration area is also down low.

Attorney R. Peterson stated that the site elevation below road between 4' and 6'.

V. Gingrich stated that her and C. Lynch walked the site. The wetland line is a bottom of slope situation and said it is obvious where the wetland starts. Conservation Department is still finalizing comments for the project, Engineering Division is still reviewing the Stormwater, however things to bring up now are; infiltration trench encroaches within 50' of BVW which may have to shift, but it should be included in the comments from Engineering. Only new pavement would be the handicap ADA spaces, make this clarification on the plan, and that the travel lane is still stone. V. Gingrich noted that the project will be before the Planning Board on September 14, 2021, and the applicant will need to locate things like dumpsters and provide more information on pervious surface percentages. V. Gingrich noted to the Commission that the back of the site, behind the proposed bins is nicely wooded, stated that there will be trees taken down to facilitate development, encouraged replacement trees as much as client can and locate where these will be on the plan. Comments will be sent out in a formal review letter.

T. Bradley asked to talk about the processing of products and the potential for pollution.

T. Capachietti gave a brief explanation of the process: drill for wedges, tap wedges with hammer, then the pressure splits the granite. There is sorting of materials, cobbles and curbing, salvaged then brought and sorted onsite they will not be taking any waste material in. There will only be small pieces of granite left on site.

W. Reed added that the only other thing is power splitting where no chemicals are used in this process, hydraulic method. They keep chemicals out, all the cutting, grinding, shaping and molding is done offsite and then shipped out either to a place in New Hampshire or Chelmsford.

D. Pearson stated that they do generate some stone dust which piles up. Asked what will be done to small shards that may generate from the granite splitting and drilling and if there will be routine housekeeping.

W. Reed noted that the extra material gets piled up and shipped offsite. There are periodic shipments offsite since there is a lot of waste from splitting.

T. Capachietti added that they will sweep up what is left and that will be shipped offsite.

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To continue the Public Hearing for 154 – 156 West Street – Map 56 Parcels 1 & 2 – DEP File #344-1486 to the October 6, 2021 Conservation Commission meeting

**CONTINUED PUBLIC HEARING – APPREVIATED NOTICE OF RESOURCE AREA DELINEATION
100-104 West Street – Map 71 Parcels 3 & 5 – DEP File #344-1482**

Documents: Department of Environmental Protection Comments, July 2021
Email from Theo Kindermans, Stantec Planning and Landscape Architecture, dated August 3, 2021
Report from Mary Rimmer, Rimmer Environmental Consulting, LLC, dated August 2, 2021
Memorandum from Anna Jones, Stantec, dated August 19, 2021
Letter from Mary Rimmer, Rimmer Environmental Consulting, Inc., dated August 23, 2021
“Existing Conditions Plan” dated May 20, 2021, last revised August 18, 2021

Present in Interest: Theo Kindermans, Stantec Planning and Landscape Architecture
Mary Rimmer, Rimmer Environmental Consulting, LLC, Town Peer Reviewer

T. Kindermans stated that they filed the ANRAD (Abbreviated Notice of Resource Area Delineation) and attended the meeting two (2) months ago, comments from M. Rimmer and from the DEP pertaining to the isolated area. Believes all comments have been addressed.

M. Rimmer believes all comments were addressed.

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To close the Public Hearing for 100-104 West Street – Map 71 Parcels 3 & 5 – DEP File #344-1482

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To approve the Order of Resource Area Delineation for 100–104 West Street – Map 71
Parcels 3 & 5 – DEP File #344-1482

**CONTINUED PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION
– 11 Sprucewood Road – Map 80 Parcel 7 – DEP File #344-1485**

Documents: “Existing Conditions” Plan, dated July 21, 2021
Letter from Richard Kirby, LEC Environmental Consultants, Inc., dated August
19, 2021
Letter from Maureen Herald, Norse Environmental Services, Inc., dated August
27, 2021
Email form Maureen Herald, Norse Environmental Services, Inc., dated August
28, 2021

C. Lynch stated that the applicant requested to continue to the next meeting.

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To continue the Public Hearing for 11 Sprucewood Road – Map 80 Parcel 7 – DEP File
#344-1485 to the October 6, 2021 Conservation Commission meeting

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – Middlesex Avenue – Near Maps 88 & 89
Parcels 12, 13, & 13B – DEP File #344-1478**

Documents: “Transportation Improvement Project Plan and Profile of Middlesex Avenue
(Route 62)
Lubbers Brook Culvert Replacement (W-38-019 805) Plan Set”, 32 pages, dated
June 23, 2021
Notice of Intent revised application, received June 23, 2021
Letter from Peter Ellison, The Engineering Corp, dated June 23, 2021
Letter from Paul Alunni, Town of Wilmington, Engineering Division, dated June
23, 2021
Letter from Paul Alunni, Town of Wilmington, Engineering Division, dated July 29,
2021
Letter from Richard Kirby, LEC Environmental Consultants, Inc., dated August
31, 2021
Letter from Suzanne Sullivan, Headwaters Stream Team, dated September 1,
2021

Present in Interest: Paul Alunni, Town of Wilmington, Engineering Division
Peter Ellison, TEC, Civil Engineer

P. Alunni proposed replacement of the culvert at Lubbers Brook, noted that they fixed some errors on the plan, with comments from DEP, LEC, Ipswich Water Association, and the Headwater Stream Team. He stated that he read through a draft Order of Conditions (OOC) and had no issue with special conditions that are listed in the order. Also received the peer review comment letter that is believed to be the final one from LEC.

P. Ellison, TEC, explained the project is to replace two (2) failing culverts. Recent updates of the project are vegetated embankments which are the slopes between the edges of the stream bank and the concrete headwalls culvert, some additions to stormwater, and the potential addition of a low flow summer channel. Embankments originally showed rip rap at a slope of 1.5 to 1, and now show a vegetated slope. Adjusted the grades to be slightly flatter at 2 to 1. With the addition of a geo-grid, material will be able to keep those stabilized to prevent erosion and provide critical upland habitat at the bank of the stream. Stormwater improvements are incorporating three (3) tree box filters, represent a significant improvement from a stormwater treatment perspective. P. Ellison explained what a tree box filter looks like, it is two (2) or three (3) feet deep of natural soil material which filters storm water and incorporates some greenery on the side of the street. They are proposing red maples in each of the three (3) tree boxes. P. Ellison discussed incorporating a low flow summer channel in the stream, once the contractor gets on site and puts in the dewatering system, there will be a better view of the stream bed, to then determine if there is an existing low flow channel. The purpose is to concentrate the water when low flow to provide a continuous aquatic habitat so aquatic life can swim through. Edges of culvert would be dry crossing for turtles and other wildlife. A final letter from LEC Environmental was received which states they believe all comments have been addressed as well as DEP comments. A site visit was held with Headwater Stream Team and there is a letter of support from them.

P. Alunni corrected Red Oaks not Red Maples in the tree box filters.

V. Licciardi asked whether the tree box filters would contain more of a shrub/bush as pictured in the visual or a tree.

P. Alunni stated that it would be a tree, not a shrub.

N. Salazar asked, on the upstream side Middlesex Avenue, if kids and families access to the area will be impacted due to this project.

P. Alunni advised that access to the area will stay relatively the same it would not do anything to prohibit kids or families from accessing, although it is private property.

D. Pearson asked where the tree box filters will be.

P. Alunni stated that the tree box filters are located at each catch basin location. There are three (3) catch basins, so they will be using these to intercept some of the runoff from the roadway before entering Lubbers Brook. Part of the MS4 permitting is to come up with some sort of a metric for the BMPs being proposed and how they are working. He will take grab samples of the water from the catch basins to test it for heavy metals, phosphorus, nitrogen, TSS (Total Suspended Solids), to see how the filters are work and start promoting them for private projects with real data.

D. Pearson asked regarding the summer channel and opening the road up to see what is there, if there is no summer channel then what is the next step.

P. Alunni stated that the existing culverts can be seen after going in and drying area out, after that they will bring in a scientist to determine if they can implement the low flow channel.

D. Pearson read the letter from Suzanne Sullivan, Headwaters Stream Team, dated September 1, 2021.

P. Alunni stated his appreciation of the Headwater Stream Team and had no issues with the Order of Conditions (OOC).

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To close the Public Hearing for Middlesex Avenue – Near Maps 88 & 89 Parcels 12, 13, & 13B – DEP File #344-1478

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To approve the Order of Conditions for Middlesex Avenue – Near Maps 88 & 89 Parcels 12, 13, & 13B – DEP File #344-1478

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 201 Lowell Street – Map 48 Parcel 73A – DEP File #344-1480

Documents: Memorandum from Paul Alunni, Town of Wilmington, Engineering Division, dated July 23, 2021
Letter from Richard Kirby, LEC Environmental Consultants, Inc., dated August 13, 2021
Letter from David Fenstermacher, VHB, dated August 24, 2021

D. Pearson stated the applicant requested to continue the Public Hearing.

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To continue the Public Hearing for 201 Lowell Street – Map 48 Parcel 73A – DEP File #344-1480 to the October 6, 2021 Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 201 Lowell Street – Map 48 Parcel 73A – DEP File #344-1479

Documents: Memorandum from Paul Alunni, Town of Wilmington, Engineering Division, dated July 23, 2021
Letter from Rich Kirby, LEC Environmental Consultants, Inc., dated August 13, 2021
Letter from David Fenstermacher, VHB, dated August 24, 2021

D. Pearson stated that the applicant asked to continue the Public Hearing.

Upon motion duly made by L. deWahl and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To continue the Public Hearing for 201 Lowell Street – Map 48 Parcel 73A – DEP File #344-1479 to the October 6, 2021 Conservation Commission meeting

REQUEST FOR CERTIFICATE OF COMPLIANCE – 26 Mill Road – Map 3 Parcel 2H – DEP File #344-1309

Documents: Request for Certificate of Compliance application, received August 18, 2021
“As-Built Plan”, dated August 16, 2021
Email from Cameron Lynch, dated September 1, 2021

C. Lynch stated that a site visit was made with V. Gingrich. The demarcation fence is approximately 10' from the wetland in the back corner. The original order had it at 15', the Commission could require them to move that back to 15'. No yard waste area was observed on the property which was also required in the original order. A deck and patio were added to the rear of the house which were not included in the original construction of the house and advised that the Commission may want to require additional Request for Determination of Applicability (RDA) for approval of the two (2) structures. The entirety of the replication area was required to be graded at 127.5' originally, but the plans show some replication area at 128' or higher. The applicant should provide spot grades throughout the replication area to demonstrate compliance or the proposed remedy for meeting the requirement. Additionally, planting should be itemized by species and number present, groundcover should also be characterized by species and any invasives should be identified in the area. The wetland consultant should provide determination on the percentage of native species in the replication area to demonstrate compliance that 75% of the species in the replication area are native. Finally, they did not receive monitoring reports for the replication area as required by the Order of Conditions (OOC), the Wetland consultant should provide an evaluation of the hydrology of the replication area as well as soil information. These comments were provided to the applicant, the Wetland Consultant and the Engineer.

D. Pearson asked the Commission if the applicant should require an RDA for deck and patio.

V. Gingrich stated that there was no approval of the deck and patio on record.

D. Pearson would want an RDA (Request for Determination of Applicability) for the structures. Asked if it appeared to be functioning as a wetland when they got to the higher points of the replication area.

C. Lynch stated that it did not seem to be connected to the adjacent wetland and that it was dry.

V. Gingrich noted the major concern is that the elevation is too high. The soil found was very sandy and dry and noted that it did not look like wetland soil, wetland species were present, however it looked disconnected from the natural wetland. Had to be built at certain elevation, it would be helpful if the applicant can show that it was built at that elevation but unsure if it could be shown there. More information is needed.

D. Pearson suggested they table the request for Certificate of Compliance (COC).

V. Licciardi asked if this is the homeowners or contractors' responsibility.

V. Gingrich informed the Commission that the applicant is the contractor, Steven Wright.

Upon motion duly made by D. Pearson and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To table the Certificate of Compliance for 26 Mill Road – Map 3 Parcel 2H – DEP File #344-1309

ADMINISTRATIVE TREE or SHRUB REMOVAL – 33 Buckingham Street – Map 10 Parcel 25

C. Lynch advised that the tree was dead, and it was close to the wires. The wetland was pretty far away, within the 90 to 100' zone. No replacements will be required.

DISCUSSION – MACC Annual Membership

V. Gingrich announced to the Commission an online fall conference will be available in October, and there are funds available to pay for those courses. The MACC (Mass Association of Conservation Commissions) provides an online handbook that can be viewed, and a password will be provided to get on the website to view it.

MINUTES – August 4, 2021

D. Pearson suggested an edit to add that the Commission thanked Cathy Pepe for her service to the town.

Upon motion duly made by T. Bradley and seconded by V. Licciardi, it was unanimously (5-0)

VOTED: To accept the minutes as amended for the August 4, 2021 Conservation Commission meeting


NEXT MEETING – October 6, 2021

ADJOURN

There being no additional business to come before the Conservation Commission, L. deWahl motioned and V. Licciardi seconded

VOTED: To adjourn the meeting at 9:03 pm.

Respectfully submitted,


Jayne Wierzbicki
Senior Clerk