



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

PLANNING & CONSERVATION  
DEPARTMENT

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**CONSERVATION COMMISSION MINUTES  
January 4, 2017**

Julie Flynn, Chair, called the meeting to order at 7:01 p.m. Laurie Finne, Vincent Licciardi, Donald Pearson, and Sharon Kelley-Parrella, were present. Michael McInnis was absent. Winifred McGowan, Assistant Director of Planning and Conservation and Cathy Pepe, Senior Clerk of Planning & Conservation were also present.

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – 22  
Allenhurst Way – Map 49, Parcel 149**

Documents: Diagram of new deck  
Pictures of existing deck  
Foundation Certification Plan, dated 7/21/92 with proposed deck drawn in

Present in Interest: Karl Nesline, owner

K. Nesline wants to remove an old elevated deck and replace it with a larger one. W. McGowan stated that the lawn is on or in the wetland. There isn't a permanent demarcation line in the area of proposed deck. W. McGowan suggested that the Commission ask the owner to pull back the lawn from the wetland. The new deck will fall within the 25' setback. An area for yardwaste should be provided on the property to keep debris out of wetlands. J. Flynn suggested increasing the buffer to the wetlands by approximately 5'. J. Flynn asked the homeowner to remove the yardwaste from the wetlands by springtime. L. Finne asked if the homeowner would have room on his property to form a yardwaste area away from the wetlands.

K. Nesline agreed to remove the yardwaste from the wetlands.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a negative Determination of Applicability for 22 Allenhurst Way –  
Map 49, Parcel 149

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT - 708R Woburn Street - Map  
57 Parcel 54 - DEP File #344-1343**

Jamey Brothers emailed a request to continue the public hearing for 708R Woburn Street to the February 1, 2017 meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for 708R Woburn Street - Map 57, Parcel - DEP File #344-1338 to February 1, 2017

**CONTINUED PUBLIC HEARING - NOTICE OF INTENT – Railroad R.O.W. – Wilmington Junction to Lowell Junction - Map 90, Parcel 116 - DEP File #344-1344**

C. Kooken emailed a request to continue the hearing to the February 1, 2017 meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for Railroad R.O.W. – Wilmington Junction to Lowell Junction - Map 90 Parcel 116 - DEP File #344-1344 to February 1, 2017

**OTHER BUSINESS  
DISCUSSION**

Railroad Shawsheen River Bridge Temporary License and Agreement – Map 36 Parcel 160

W. McGowan stated that it is a small area that the material has fallen into the Town's land. The railroad will be cleaning up that area as part of mitigation for the bridge project.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the Temporary License and Agreement – Map 36 Parcel 160

**DECISION - ORDER OF CONDITIONS  
Railroad MP 16.49 Wildcat Line – Map 80 Parcel 99 - DEP File #344-1348**

Commissioners reviewed Draft #3 of the Order of Conditions.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Order of Conditions for Railroad MP 16.49 Wildcat Line – Map 80 Parcel 99 – DEP File #344-1348

**DECISION – ORDER OF CONDITIONS  
Railroad MP 16.66 Wildcat Line – Map 80 Parcel 99 – DEP File #344-1347**

Commissioners reviewed Draft #3 of the Order of Conditions.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Order of Conditions for Railroad MP 16.66 Wildcat Line – Map 80 Parcel 99 – DEP File #344-1347

**DECISION – ORDER OF CONDITIONS  
Railroad MP 17.61 Wildcat Line – Map 90 Parcel 116 – DEP File #344-1346**

D. Gorden of Peer Consultants requested additional time to review the draft for MP 17.61 Parcel 90 Map 116 – DEP File #344-1346

**EXTENSION PERMIT – ORDER OF RESOURCE AREA DELINEATION -  
168 Lowell Street – Map 58 Parcel 1 – DEP File #344-1286**

Documents: Letter from Atty. Daniel Brown, dated 12/29/2016  
Letter from S. Eriksen, Norse Environmental Services, dated 12/29/2016

Present in Interest: Steven Eriksen, Norse Environmental Services  
Richard Stuart, Triton Management

W. McGowan summarized the letter from Norse Environmental stating that the wetland lines did not change. W. McGowan said she went out today, (January 4, 2017) and did some testing to the north and west of flag #10C see if the area of concern is connected to the flagged wetlands. W. McGowan said she found hydric soils in that area.

S. Kelley-Parrella said she viewed the site and was surprised at the amount of debris on the site. W. McGowan also stated that the Director of Planning and Conservation mentioned that a lot of the wetlands along the property line were not flagged.

R. Stuart advised that he has filed an NOI that will be heard at the February meeting and had concerns if the wetland line changes. W. McGowan mentioned that the ORAD is still valid and that the wetland lines will remain as they are now for his filing. J. Flynn asked if cleaning up some of the debris in the area will ease the water flow and improve the wetlands. R. Stuart stated that they are willing to work with the Town if additional wetlands are found.

Upon motion duly made and seconded, it was unanimously

VOTED: To grant a one year extension to the Order of Resource Area Delineation, 168 Lowell Street – Map 58 Parcel 1 – DEP File #344-1286

**AGENT UPDATE**  
**50 Lawrence Street**

W. McGowan visited the site and asked the contractor to file an NOI, flag the wetlands, install erosion controls, and cease all site work. The contractor is in violation of the Emergency Certification as more site work was done than authorized.

**MINUTES – December 7, 2016**


VOTED: To approve the minutes for December 7, 2016 as modified

**ADJOURN**

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

VOTED: To adjourn the meeting at 7:59 pm.

Respectfully submitted,

  
Catherine A. Pepe  
Senior Clerk

