



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

PLANNING & CONSERVATION
DEPARTMENT

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**CONSERVATION COMMISSION MINUTES
May 6, 2015**

Donald Pearson, acting chairman, called the meeting to order at 7:03 p.m. Vincent Licciardi, Michael McInnis, and Charles Rooney III were present. Julie Flynn and Sharon Kelley-Parella were absent. Winifred McGowan, Assistant Director of Planning & Conservation, was also present.

**DISCUSSION - SILVER LAKE INVASIVE VEGETATION MANAGEMENT PROGRAM - DEP
FILE #344-1139**

Present in interest: Jamie Magaldi, Town of Wilmington
Michael Lennon, Aquatic Control Technology

M. Lennon surveyed Silver Lake and found one small patch of curly leaf pondweed, which can be hand pulled. He noted that the water was clear down to 20 feet. He does not believe that they need to use herbicide in the lake this year. However, they will check the lake in a few weeks to see whether more curly leaf pondweed has sprouted, if so, he asked to be allowed to treat the pondweed without returning to the Commission. After a brief discussion, it was agreed that if more pondweed has sprouted than can be hand pulled, they may need to treat the lake, they will give the treatment information to the Conservation Agent, but will not need to come to another meeting.

**PUBLIC MEETING - DETERMINATION OF APPLICABILITY - 50 HOPKINS STREET - MAP 11
PARCEL 40**

A written request was received to continue the public meeting until the July meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Meeting for 50 Hopkins Street - Map 11 Parcel 40 until July 1, 2015.

DETERMINATION OF APPLICABILITY - 14 HOBSON AVENUE - MAP 44 PARCEL 33

Documents: Site Plan dated 4/9/2015

Present in interest: Eric Juergens, owner

E. Juergens presented a plan to demolish the existing home and build a 3 bedroom home and driveway with associated site work. In response to questions E. Juergens confirmed that both the foundation and the bottom of the infiltrator systems will be two feet above ground water. Erosion controls will be used.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Negative Determination of Applicability for 14 Hobson Avenue - Map 44 Parcel 33

DETERMINATION OF APPLICABILITY - 20 FAIRVIEW AVENUE - MAP 51 PARCEL 76

Documents: As-Built Plan for 20 Fairview Avenue

Present in interest: Joe O'Connell, owner

J. O'Connell presented a plan to construct an aboveground pool and deck within the 100 foot Buffer Zone. In response to questions J. O'Connell stated that he would like keep the deck where it is but he will shrink it if he has to so it is located at least 25 feet from the wetland. He agreed to move the steps to the left side of the deck, away from the wetland. He said his backwash filter will be directed away from the wetland. W. McGowan stated that the demarcation fence for an older Order of Conditions has not been installed and recommended that it be installed before the building permit is submitted. She noted that the Order of Conditions had an on-going restriction that structures needed to be at least 25 feet from wetlands.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Negative Determination of Applicability for 20 Fairview Avenue - Map 51 Parcel 76 with conditions about the fence and deck.

DETERMINATION OF APPLICABILITY - 15 CLEVELAND AVENUE - MAP 7 PARCEL 72

Documents: Foundation Certificate dated 4/20/2015 revised 4/22/2015

Present in interest: Bill and Ellen Goodland, owners

B. Goodland presented a plan to add a three season porch on an existing deck. He would like to extend the deck to the corner of the house at a later date. They will need to change the footings on the existing deck. There will be gutters directed into the existing infiltrator system and erosion controls will be used.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Negative Determination of Applicability for 15 Cleveland Avenue - Map 7 Parcel 72

CONTINUED PUBLIC HEARING - NOTICE OF INTENT – 13 COTTAGE AVENUE - MAP 45 PARCEL 87 - DEP FILE #344-1311

Documents: Site Plan for 13 Cottage Avenue, dated 4/6/2015

Present in interest: Michael Tkachuk, owner
Luke J. Roy, LJR Engineering Inc.

L. Roy presented a plan to demolish the existing home and 3 sheds, construct a new dwelling, driveway, and associated site work and install a permanent demarcation line. Erosion controls will be used. One shed and the existing yard will be retained while the new house will be outside the Riverfront Area. Stormwater infiltrators will be installed for roof runoff; a stone trench will handle the storm water runoff from the driveway. The existing gravel driveway will be removed, and the area loamed and seeded. Lubbers Brook flows along the rear boundary line and some of the outer Riverfront Area will be cleared to provide access to the existing yard. Demolition that will be in the wetland and floodplain will be by hand or with equipment operated from the upland; those areas will be seeded. The floodplain will not be filled.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the Public Hearing for 13 Cottage Street - Map 45 Parcel 87 - DEP File #344-1311

VOTED: To issue an Order of Conditions for 13 Cottage Street - Map 45 Parcel 87 - DEP File #344-1311

CONTINUED PUBLIC HEARING - NOTICE OF INTENT - 45 INDUSTRIAL WAY - MAP 46 PARCEL 110 - DEP FILE #344-1310, STORMWATER MANAGEMENT PERMIT #15-03

Documents: Drainage report revised 4/21/2015
Site Plans entitled, "Site Development Plans for Renovated Distribution Center, 45 Industrial Way, Wilmington MA", 30 sheets dated 2/5/2015; revised through 4/21/2015 or 5/5/2015.
Letter from Allen & Major dated 4/21/2015
Memo from Paul Alunni dated 5/6/2015

Present in Interest: Robert Peterson, Attorney at Law
Ryan Bianchetto, Allen & Major Associates
Paul Richardson, Howland Development

R. Peterson asked Ryan Bianchetto to present the revisions to the Commission. R. Bianchetto explained how he addressed the concerns raised by the Town Engineer and the Commission and gave an overview of the revised stormwater management system. They eliminated 13 parking spaces and the middle driveway entrance to increase the pervious area and add a bioretention basin at the front of the property, to treat runoff and provide some infiltration from most of the redeveloped portion of the lot. One drain discharging into the street drainage will have no additional treatment. The rear drainage was changed in a number of ways: sand filters were substituted for Stormceptors as pretreatment to the detention chambers, a backup pump system was added, a Tideflex TF-1 valve was added to basin #1 to prevent backflow in case the pumps fail, a liner was added to basin #1 to keep groundwater out, and the basin was moved back from the property line. A fence was added around both stormwater basins in the rear of the property. The dumpster was moved farther from the wetland and it will have fencing around it. R. Bianchetto said that he designed the basins using the groundwater levels but has not dug additional test pits. He did not know if there was a hood in the catch basin or if the catch basin could be retrofitted. The Operation and Maintenance Plan was updated to include the new stormwater features. R. Peterson made a request for the Commission to hold a meeting to issue the Order of Conditions before June 3, 2015.

Upon motion duly made and seconded, it was unanimously

VOTED : To close the Public Hearing for 45 Industrial Way - Map 46 Parcel 110 - DEP File #344-1310, Stormwater Management Permit #15-03

**OTHER BUSINESS
DISCUSSION - 3 HAROLD AVENUE - MAP 23 PARCEL 24**

W. McGowan stated that no Notice of Intent or restoration plan was submitted nor did the owners contact the office. They have not paid their fines. W. McGowan said the wetland regulations specify use of the most recently available flood profile, which would be the 2011 maps prepared for FEMA. This issue keeps being raised by the owners' consultants. There was a brief discussion regarding enforcement and fines.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue an Enforcement Order for 3 Harold Avenue - Map 23 Parcel 24

VOTED: To assess a fine of \$300 (third offense) for 3 Harold Avenue - Map 23 Parcel 24

CERTIFICATE OF COMPLIANCE - 12, 16 FEDERAL STREET - MAP 65 PARCELS 21E, 21 - DEP FILE #344-1097

W. McGowan reported that the disturbed area was seeded but needed to grow in and the as-build plan was being corrected.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 12, 16 Federal Street - Map 65 Parcels 21E, 21 - DEP File #344-1097 but hold it pending the remaining items.

CERTIFICATE OF COMPLIANCE - 18 FLORADALE AVENUE - MAP 29 PARCEL 11-A2 - DEP FILE #344-1271

Upon motion duly made and seconded, it was unanimously

VOTED: To issue a Certificate of Compliance for 18 Floradale Avenue - Map 29 Parcel 11-A2 - DEP File #344-1271

CERTIFICATE OF COMPLIANCE - 50 FAULKNER AVENUE - MAP 70 PARCEL 8A - DEP FILE #344-1290

W. McGowan stated that the ongoing conditions were not referenced in the deed.

Upon motion duly made and seconded, it was unanimously

VOTED: To table the Request for a Certificate of Compliance for 50 Faulkner Avenue - Map 70 Parcel 8A - DEP File #344-1290

MINUTES – April 1, 2015

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

VOTED: To approve the minutes for April 1, 2015.

ADJOURN

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

VOTED: To adjourn the meeting at 9:01 pm.

Respectfully submitted,

Elizabeth Lawrenson
Senior Clerk