



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

**PLANNING & CONSERVATION
DEPARTMENT**

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CONSERVATION COMMISSION MINUTES

August 3, 2016

Revised as of May 24, 2017

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

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY – 46
SHAWSHEEN AVENUE – MAP 32 PARCEL 3**

Documents: Plan: 'Subsurface Septic Disposal System Replacement, 46 Shawsheen Avenue', dated 6/17/2016

Present in interest: Luke Roy, LJR Engineering

L. Roy presented plans to raze the existing house and build a new house with septic system, driveway, infiltration trench for driveway runoff and an infiltration system for roof runoff. Grading will be done so patterns of flow going off the property are maintained. He said he could add spot grades to show most of the driveway runoff being directed to the infiltration trench. He did not think there was an issue if the grade was raised within the sewer grading easement that exists for the benefit of the abutter. In response to a question about installing a permanent demarcation line, he said the dog-leg section of the lot will stay as it is. He did not think demarcation was needed at this time and noted that if future owners want to work in that area they will need to file.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 46 Shawsheen Avenue – Map 32 Parcel 3.

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY - 12
CHEROKEE LANE – MAP 85 PARCEL 7H**

Documents: Plan: 'Mortgage Inspection Plan, 12 Cherokee Lane', revisions undated

Present in interest: Staci Afthim, owner

S. Afthim presented plans to install an aboveground pool near the wetlands. She showed her preferred alternative, which is about 10' from the edge of lawn. She said the permanent demarcation line was gone when she moved in, but she assumes it was at the edge of the lawn.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 12 Cherokee Lane – Map 85 Parcel 7H for the first location.

PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY - 3 SUDBURY AVENUE – MAP 69 PARCEL 35

Documents: Plan: Plot Plan of Land, Wilmington, MA dated 6/18/2016, revisions undated

Present in interest: Steve Winchell, representative

S. Winchell presented a plan to build a 3-season porch on the same footprint as the existing porch, which was built without a permit and needed to be replaced. He provided a detail for a drip-edge trench for the runoff from the porch roof. No erosion controls were shown on the plan, but will be used.

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for 3 Sudbury Avenue – Map 69 Parcel 35.

PUBLIC HEARING – NOTICE OF INTENT – 40 BURLINGTON AVENUE – MAP 29 PARCEL 10 – DEP FILE #344-1332

Documents: Plan: Subsurface Septic Disposal System Replacement, 40 Burlington Avenue, dated 6/3/2016
Memo from Paul Alunni dated 7/28/2016

Present in interest: Luke Roy, LJR Engineering
Michael Welch, applicant

L. Roy presented plans to raze the existing house and build a new house, septic system, driveway, and provide infiltration system for roof runoff. He said he provided larger roof infiltrators than needed to compensate for not having infiltration for driveway runoff. He said the infiltrators are closer to the lot line and house than recommended, but the lot is too tight to provide the recommended separation. He noted that the septic system design was approved. He noted that he took the drain pipe location from Town records, but was unable to find it within the 8-foot wide easement. He suggested that its location could be confirmed during construction. He proposed a demarcation fence. W. McGowan summarized the Town Engineer's memo, which included comments about needing to grade carefully near the property lines to not increase flow onto abutting land and to confirm drain pipe location and elevations before construction in order to confirm whether the proposed grading and house location is appropriate. J. Flynn asked about infiltrating water shedding from the driveway and lack of a swale on parts of the property line, making runoff more likely to flow onto abutting land. L. Roy said the driveway goes over the septic leaching field, precluding infiltration at the edge of the pavement. He said the intention is to provide a slight swale along both property lines. He agreed to remove fences and other debris from the wetlands.

Upon motion duly made and seconded, it was

VOTED: To close the public hearing for 40 Burlington Avenue – Map 29 Parcel 10 – DEP File #344-1332

VOTED: To issue an Order of Conditions for 40 Burlington Avenue – Map 29 Parcel 10 – DEP File #344-1332

PUBLIC HEARING – NOTICE OF INTENT –11 CLEVELAND AVENUE – MAP 7 PARCEL 70Z – DEP FILE #344-1335

Documents: Plan: Subsurface Septic Disposal System Replacement, 11 Cleveland Avenue, dated 7/12/2016

Memo from Paul Alunni dated 7/27/2016

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

L. Roy presented plans to raze the existing house and garage and build a new house, septic system with a tank and pump behind the house and leach field by the road, driveway, infiltration system for roof runoff, and boulder retaining walls. He said he could not put an infiltration trench for the driveway since it is over the leach field. Most of the driveway runoff will go into the road. He said there is a swale along the eastern property line and tiered retaining walls west of the house. The impervious area is almost doubled and infiltration is provided for the increased impervious area. W. McGowan summarized the Town Engineer's memo which addressed grading and runoff along the western property line and changing the walls a bit to provide a gentler slope. She said Board of Health approved the septic system. She asked whether the driveway could be sloped a bit to the west to increase runoff to the grass. She asked that the height of the northern retaining wall be clarified as it appears to be higher than listed. She noted that the water table needs to be confirmed at the infiltration trench. She recommended shade trees be planted between the retaining wall and wetlands to replace shade that will be lost when trees are removed south of the wetlands. J. Flynn noted that the 94-foot contour should be bent to continue the swale along the property line, to keep the flow on this lot. L. Roy said he could add a cross slope to the driveway and agreed to look at the grading and adjust the 94-foot contour. M. Tkachuk agreed to plant shade trees.

Mike Parant, 5 Cleveland Avenue, noted that 11 Cleveland is lower and he is concerned that filling will change flow patterns and put water onto his lot. He said his leach field is a foot off the property line and asked if the systems are allowed to be 11 feet apart. He said that if the water flows straight back he would not mind.

Upon motion duly made and seconded, it was

VOTED: To close the public hearing for 11 Cleveland Avenue – Map 7 Parcel 70Z – DEP File #344-1335

VOTED: To issue an Order of Conditions for 11 Cleveland Avenue – Map 7 Parcel 70Z – DEP File #344-1335

PUBLIC HEARING – NOTICE OF INTENT –4 LEDGEWOOD ROAD – MAP 57 PARCEL 14 – DEP FILE #344-1333

Documents: 'Subsurface Sewage Disposal Plan, 4 LedgeWood Road' dated 7/18/2016

Memo from Paul Alunni dated 7/27/2016

Present in interest: Steven Eriksen, Norse Environmental Services
Jonathan Langone, owner

S. Eriksen presented plans to raze the existing house and build a new house with septic system, a recharge system for the roof runoff, and an infiltration trench for driveway runoff. He indicated there would be about 2 feet of fill for the septic, but relatively little fill on the south side, so runoff onto the abutting lot will be minimal and largely intercepted by the stone trench along the driveway. He said the large tree in front will remain as it is on the property line. W. McGowan said the septic system has not been approved. She noted that a lot of yardwastes had been dumped by the wetlands off the lot and suggested that a dense band of native shrubs along the rear property line could minimize dumping. Applicant agreed to plant and to have an area for yardwastes on the lot.

Upon motion duly made and seconded, it was

VOTED: To close the public hearing for 4 Ledge wood Road – Map 57 Parcel 14 –
DEP File #344-1333

VOTED: To issue an Order of Conditions for 4 Ledge wood Road – Map 57 Parcel 14 –
DEP File #344-1333

**PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE DELINEATION – 401
ANDOVER STREET – MAP R3 PARCELS 8, 8A – DEP FILE #344-1334**

Documents: Plan: Wetland Delineation Plan, 401 Andover Street, dated 7/14/2016

Present in interest: Steven Eriksen, Norse Environmental Services
Stephen Wright, S.E. Wright, Inc.

S. Eriksen presented plans showing the wetland line. He said the line, where it is off the parcel, generally is at the toe of a distinct slope. W. McGowan said the request did not include confirming wetlands on adjacent lots, but she thought the line might be higher than shown in spots. She had not been out with the delineator to confirm areas in question on the parcel.

Upon motion duly made and seconded, it was

VOTED: To continue the hearing for 401 Andover Street – Map R3 Parcels 8, 8A –
DEP File #344-1334 until September 7, 2016 with the applicant's consent.

**PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE DELINEATION – 79
NICHOLS STREET – MAP 35 PARCEL 29 – DEP FILE #344-1336**

Documents: 'Existing Conditions Plan, 79 Nichols Street' dated 7/15/2016
Letter from Betty Bigwood, Wilmington Middlesex Canal Commission emailed 8/3/2016 with
'Existing Conditions Plan' dated 2007

Present in interest: Steven Eriksen, Norse Environmental Services

S. Eriksen presented plans showing the wetland line as far as it had been delineated. He noted that he would have to continue the line northward toward the property line. W. McGowan said she had not been out with the delineator to check areas she questioned. She stated that an intermittent stream cuts through the lot but it was not delineated. She read a letter from the Middlesex Canal Commission representative which noted that the canal runs through the parcel and indicated that there are notification requirements related to the canal. J.R. VanDerMark, 81 Nichols Street, indicated he was caretaker for the prior owner and said the prior owner had said she would donate land along the canal for a path to connect with path at Jaques Lane.

Upon motion duly made and seconded, it was

VOTED: To continue the hearing for 79 Nichols Street – Map 35 Parcel 29 – DEP File #344-1336 until September 7, 2016 with the applicant's consent.

OTHER BUSINESS

WILMINGTON FACILITY MASTER PLAN

Valerie Gingrich Director of Planning and Conservation, presented a summary of the consultants' study of the Town's land, buildings, conditions of those facilities, and how well they serve their current uses. She explained that the purpose of the study is to explore and whether there better ways to use Town money over the next 20 years as buildings will need substantial work. The master plan process is looking at alternatives. The study provides two baselines: keeping the current facilities and upgrading them as needed, and for the schools keeping them and upgrading as needed and upgrading them to meet the MSBA standards. She provided a chart summarizing the options that will be considered in more detail in the next portion of the study.

She said that at this stage the consultants want to know if there are additional options that they should consider. She asked the Commissioners to let her know within a month or so.

DECISION – ORDER OF CONDITIONS – CHESTNUT STREET – MAP 13 PARCEL 2A – DEP FILE #344-1331

There was discussion how best to handle the stormwater management if the new gravel access road is built. The applicant did not provide details of the 'country drainage', but also was not sure if the road would be built. A condition will specify that if the road is built that the applicant will need to show at that time that the design meets the state and local stormwater standards.

Upon motion duly made and seconded, it was

VOTED: To issue an Order of Conditions for Chestnut Street – Map 13 Parcel 2A – DEP File #344-1331.

CERTIFICATE OF COMPLIANCE - 730 MAIN STREET – MAP 39 PARCEL 8, 8A – DEP FILE #344-1302

W. McGowan said the contractor suggested and agreed to put a low stone berm along the edge of the paved area where roof runoff is discharged and then flows out into a shallow swale and is carried to the wetland. The berm should help slow the flow and spread it out, lessening the erosion that a heavy flow would cause.

Upon motion duly made and seconded, it was

VOTED: To issue a Certificate of Compliance for 730 Main Street – Map 39 Parcel 8, 8A – DEP File #344-1302.

AGENT UPDATE

Town Clean-up Day is scheduled for September 24, 2016, rain date October 1, 2016. Commissioners were asked help spread the word and let the office know of Town land that should be added to the list of sites to be cleaned up.

MINUTES – June 1, 2016, July 6, 2016

VOTED: To approve the minutes for June 1, 2016, with one abstension.

VOTED: To approve the minutes for July 6, 2016 as corrected, with two abstensions.

VOTE – CHAIR, VICE CHAIR

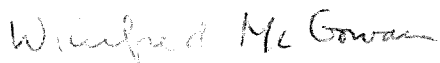
VOTED: To elect Julie Flynn as Chair and Sharon Kelley-Parrella as Vice Chair of the Conservation Commission.

ADJOURN

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

VOTED: To adjourn the meeting at 9:44 pm.

Respectfully submitted,



Winifred McGowan
Assistant Director of Planning and Conservation