



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 www.wilmingtonma.gov

(978) 658-8238

CONSERVATION COMMISSION MINUTES

August 5, 2020

RECEIVED
TOWN CLERK
SEP - 3 AM 10:47
TOWN OF WILMINGTON, MA

Donald Pearson called the meeting to order at 7:05 pm and stated the following:

"Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, members of the public who wish to watch and listen to the meeting may do so in the following manner: WCTV (Channel 9 – Comcast Xfinity; Channel 37 Verizon FIOS, and live stream wctv.org). **No in-person attendance of members of the public will be permitted**, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. Members of the public who would like to listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 837-8722-7635 then press # and press # again at the next voice prompt. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by following the steps previously noted then press *9 on their telephone keypad. This will notify the meeting host that the caller wishes to speak. All callers using this feature will be placed in queue in the order they entered the prompt. In the event that despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the Town's website as soon as we are able."

The following members were in attendance: Donald Pearson, Theron Bradley, Vincent Licciardi, Alexander Rittershaus, and Thomas Ollila. Laura deWahl arrived for the 79 West Street agenda item. Michael McInnis was absent. Valerie Gingrich, Director of Planning and Conservation and Catherine Pepe, Senior Clerk of Planning & Conservation were also present.

REQUEST FOR DETERMINATION OF APPLICABILITY – 2 Tacoma Drive – Map 68 Parcel 36

Documents: Request for Determination of Applicability application, received June 2, 2020
Presentation from Kevin Tow, owner, received August 5, 2020

Present in: Kevin Tow, owner

K. Tow presented the removal of part of two (2) trees located between the wetlands and the demarcation boulders. One (1) tree has two (2) trunks and he would like to remove the trunk leaning towards the house. The second tree has a branch about 30' long that fell several years ago and he would like to remove the broken portion.

V. Gingrich advised that the trees are within the 15' no-disturb setback, but that they warrant removal. The lot is heavily forested and does not necessarily require replacement.

D. Pearson polled the Commission members and all agreed to the removal and that replacement trees or shrubs are not required. D. Pearson confirmed with the applicant that the trunks would not

fall into the wetlands.

Upon motion duly made by Theron Bradley and seconded by Vincent Licciardi,

Theron Bradley, Vincent Licciardi, Thomas Ollila, Alexander Rittershaus, and D. Pearson voted 5 – 0 to issue a Negative 3 Determination of Applicability for 2 Tacoma Drive – Map 68 Parcel 36

REQUEST FOR DETERMINATION OF APPLICABILITY– 6 Gatehouse Lane – Map 28 Parcel 11

Documents: Request for Determination of Applicability application, received June 7, 2020
Memorandum from Paul Alunni, Town of Wilmington Engineering Division, dated August 4, 2020

Present in Interest: Jennifer & Constantin Iordachescu, owners

C. Iordachescu presented the proposed removal of the existing 12' x 12' deck and construction of a 12' x 16' deck.

V. Gingrich advised that the proposed rear deck will be about 40' from the wetlands. V. Gingrich also advised that during a site visit to the property, she noticed a shed at the end of the driveway on the property that was not permitted. V. Gingrich asked the applicants to include the shed in this Request for Determination of Applicability (RDA). The applicants revised their RDA to include the new deck and existing shed.

Upon motion duly made T. Bradley and seconded by V. Licciardi,

V. Licciardi, T. Bradley, A. Rittershaus, T. Ollila, and D. Pearson voted 5 – 0 to issue a Negative 3 Determination of Applicability for 6 Gatehouse Lane – Map 28 Parcel 11 with the added condition that erosion controls be installed and maintained

REQUEST FOR DETERMINATION OF APPLICABILITY - Burnap Street/Silver Lake Beach Recreational Area – Map 34 Parcel 138

Documents: Request for Determination of Applicability application, received July 20, 2020

Present in Interest: Paul Alunni, Town of Wilmington Engineering Division

P. Alunni presented the repair and replacement of a portion of sidewalk close to the playground at Silver Lake Beach to eliminate a tripping hazard. The section that requires replacement is 6' wide by 60' long and poses a tripping hazard and was probably damaged by tree roots. The sidewalk will be saw cut on either side of the portion that needs replacement, area leveled off, and then install the new sidewalk.

D. Pearson asked if the tree roots will continue to pose a problem for the sidewalk. P. Alunni did ask the Town's tree warden if cutting the roots would pose a hazard to the tree and was advised that the tree would be ok. P. Alunni will check with the tree warden to see if the roots will continue to grow back and disturb the sidewalk. He also advised that erosion controls will be installed and maintained.

Upon motion duly made by V. Licciardi and seconded by T. Bradley,

V. Licciardi, T. Bradley, T. Ollila, A. Rittershaus, and D. Pearson voted 5 – 0 to issue a Negative 3 Determination of Applicability for Burnap Street/Silver Lake Beach Recreational Area – Map 34 Parcel 136

Conservation Commission member Laura deWahl joined the meeting at 7:23 p.m.

REQUEST FOR DETERMINATION OF APPLICABILITY – 79 West Street – Map 72 Parcel 2A

Documents: Request for Determination of Applicability application, dated July 22, 2020
Memorandum from Paul Alunni, Town of Wilmington, Engineering Division, dated August 4, 2020

Present in Interest: Brendan Noonan, owner

B. Noonan presented the removal of a 14' x 14' deck and construction of a 20' x 26' deck and an 8' x 8' concrete pad for a hot tub, and potentially moving the existing infiltration system. The applicant is not sure where the infiltration system is and would like to move it if it is disturbed during the construction.

V. Gingrich advised that the proposed work is about 50' from the wetlands and that the deck will be exempt, but not the pad and the potential moving of the infiltration system. The Engineering Division has asked that erosion controls be installed and that an as-built plan showing the final construction and the infiltration system (if it is moved) be submitted upon completion of the project.

D. Pearson asked that the as-built plan include the wetland line as well. B. Noonan agreed to add the wetland line to the as-built plan.

Upon motion duly made by T. Bradley and seconded by V. Licciardi,

V. Licciardi, T. Bradley, T. Ollila, A. Rittershaus, L. deWahl, and D. Pearson voted 6 – 0 to issue a Negative 3 Determination of Applicability for 79 West Street – Map 72 Parcel 2A with the added conditions that erosion controls be installed and maintained and that an As-Built Plan be submitted showing the wetlands and the infiltration system if re-located.

REQUEST FOR DETERMINATION OF APPLICABILITY – 32 Sheridan Road – Map 93 Parcel 92

Documents: Request for Determination of Applicability application, received July 24, 2020
Memorandum from Paul Alunni, Town of Wilmington Engineering Division, dated August 4, 2020

Present in Interest: Matthew DiNitto, owner

M. DiNitto presented the proposed construction of a 12' x 22' above ground pool with a walk-around deck making the overall dimensions of the project 16' x 30'. There is a factory installed fence attached to the pool. Crushed stone will be installed under all pool decking and the homeowner would like to install a 5' fence along the rear of the property. Erosion controls will be installed around the project.

V. Gingrich advised that the proposed project is about 28' from the wetlands. The existing fence is at the top of the slope that goes down to the wetlands and was installed without proper approval. V. Gingrich asked about the filtering system, what happens to the back wash, and if the pool required draining. M. DiNitto advised that the type of pool they will install does not require drainage, but does require that the water level be lowered about 3-4" to just below the skimmer at the end of

the season, that it is a sand filter, and that any backwash would go into the crushed stone that will be installed under the decking. T. Bradley asked if the existing fence will be replaced and its distance to the wetlands. M. DiNitto confirmed that they will replace the existing fence.

V. Gingrich stated that on one side of the existing fence is the slope that goes down to the wetlands and established lawn on the house side fence. V. Gingrich reviewed the Engineering Division's comments to install erosion controls, that the property is in the Groundwater Protection District and the impervious area calculation on the plan does not include roof top from the house. This should be added into the calculation to see if a special permit is required from the Board of Appeals. The Engineering Division questioned where the septic system is and M. DiNitto advised that it is in the front of the house.

Upon motion duly made by T. Bradley and seconded by L. deWahl,

V. Licciardi, T. Ollila, T. Bradley, A. Rittershaus, L. deWahl, and D. Pearson voted 6 – 0 to issue a Negative 3 Determination of Applicability for 32 Sheridan Road – Map 93 Parcel 92 with the added condition that erosion controls be installed and maintained.

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 97 Glen Road – Map 54 Parcel 40 – DEP File #344-1464

Documents: "Proposed Subsurface Septic Disposal System Plan", dated July 21, 2020
Letter from Luke Roy, LJR Engineering, Inc, dated July 22, 2020
Memorandum from Paul Alunni, Town of Wilmington Engineering Division, dated August 4, 2020

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

L. Roy reviewed the proposed new home, septic system, and associated site work. A revised plan was submitted that addresses the Engineering Division's comments regarding the proposed retaining wall around the septic system at the right side of the house. The revised plan includes a detail of the proposed wall and confirms that the wall can be constructed solely within the 97 Glen Road property without encroaching on any other properties. The applicant reached out to the abutter at 95 Glen Road to discuss the retaining wall. The abutter is agreeable to grading the site into their existing retaining wall to avoid two (2) walls next to each other. The distance from the proposed roof drain system is shown at the 25' setback as well as the distance from the proposed drainage to the septic system at 95 Glen Road.

V. Gingrich advised that all the outstanding items were addressed. A draft Order of Conditions has been prepared with the added conditions that the abutter at 95 Glen Road be notified prior to the commencement of work and that an Operations and Maintenance Plan for the stormwater features on the site be recorded at the Registry of Deeds. Though the site does not warrant it, V. Gingrich asked if the Commission wanted to see any demarcation on the site. All Commission members agreed to no demarcation. V. Gingrich confirmed that Condition #48, a standard condition addressing demarcation, will be removed.

Upon motion duly made by D. Pearson and seconded by V. Licciardi,

V, Licciardi, L. deWahl, A. Rittershaus, T. Bradley, T. Ollila, and D. Pearson voted 6 – 0 to close the Public Hearing for 97 Glen Road – Map 54 Parcel 40 – DEP File #344-1464

Upon motion duly made by T. Bradley and seconded by V. Licciardi,

V. Licciardi, T. Bradley, L. deWahl, A. Rittershaus, T. Ollila, and D. Pearson voted 6 – 0 to approve the Order of Conditions for 97 Glen Road – Map 54 Parcel 40 – DEP File #344-1464 with the removal of Condition #48

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 11 Kendall Street – Map 20 Parcel 23 – DEP File #344-1465

Documents: “Proposed Subsurface Septic Disposal System Plan”, dated July 21, 2020
Letter from Luke Roy, LJR Engineering, Inc., dated July 22, 2020

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

L. Roy reviewed the proposed new home, septic system, and associated site work. He reconfirmed that constructing the proposed home closer to the wetlands allows for the lot to be subdivided at a future date. The Engineering Division’s comment on the proximity of the proposed driveway to the property line, the grade drop-off, and the proposed retaining wall have been addressed. The applicant has changed the footprint of the house to bring the driveway to a garage under the home which brings the right side of the house and the proposed driveway 65’ from the wetlands. This allowed the applicant to lower the grade of the driveway and to reduce the height of the retaining wall.

V. Gingrich advised that all of the Town’s staff comments have been addressed and a draft Order of Conditions has been prepared. L. Roy agrees with the draft Order of Conditions.

Upon motion duly made by V. Licciardi and seconded by T. Bradley,

V. Licciardi, T. Bradley, T. Ollila, L. deWahl, A. Rittershaus, and D. Pearson voted 6 – 0 to close the Public Hearing for 11 Kendall Street – Map 20 Parcel 23 – DEP File #344-1465

Upon motion duly made by T. Bradley and seconded by V. Licciardi,

V. Licciardi, T. Ollila, T. Bradley, L. deWahl, A. Rittershaus, and D. Pearson voted 6 – 0 to approve the Order of Conditions for 11 Kendall Street – Map 20 Parcel 23 – DEP File #344-1465

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – Shady Lane Drive – Map 79 Parcel Road ROW near Parcel 15A – DEP File #344-1461

Documents: Letter from Paul Alunni, Town of Wilmington Engineering Division, dated July 28, 2020

V. Gingrich advised that P. Alunni submitted a letter requesting to continue the Public Hearing for Shady Lane Drive to the September 2, 2020 Conservation Commission meeting.

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

V. Licciardi, L. deWahl, T. Bradley, A. Rittershaus, T. Ollila, and D. Pearson voted 6 – 0 to continue the Public Hearing for Shady Lane Drive – Map 79 Parcel Road ROW near Parcel 15A – DEP File #344-1461 to the September 2, 2020 Conservation Commission meeting.

CONTINUED PUBLIC HEARING – 687 Main Street – Map 31 Parcel 11A – DEP FILE #344-1451

Documents: Letter from Attorney John McKenna, dated July 30, 2020

V. Gingrich confirmed that the applicant has requested to continue the Public Hearing for 687 Main Street DEP File #344-1451 to the September 2, 2020 Conservation Commission meeting.

Upon motion duly made by T. Bradley and seconded by L. deWahl,

V. Licciardi, T. Ollila, L. deWahl, T. Bradley, A. Rittershaus, and D. Pearson voted 6 – 0 to continue the Public Hearing for 687 Main Street – Map 31 Parcel 11 – DEP File #344-1451 to the September 2, 2020 Conservation Commission meeting

CONTNUED PUBLIC HEARING – 100 Eames Street – Map 38 Parcels 4 & 4C – DEP File #344-1459

Documents: Drainage Report, dated July 9, 2020
“Site Plan Review Documents Plan”, 17 pages, dated July 6, 2020
Letter from Patrick McCarty, McCarty Engineering, Inc., dated July 9, 2020

Present in Interest: Jamie Gerrity, Gerrity Stone
Patrick McCarty, McCarty Engineering, Inc.
Attorney Robert Peterson

R. Peterson advised that the proposed project has received Planning Board approval and asked P. McCarty to update the Commission. P. McCarty reviewed the proposed project to remove one (1) building and construct one (1) building, modify one (1) parking area and reduce the impervious area. He made minor adjustments to the handicap ramp, adjusted some of the grading and add a spot grade at the break in the curb, add a small infiltration system, and comprehensive re-design of drainage near a pocket wetland area. Some landscape plantings and the walkway have also been adjusted around the pocket wetland area and the driveway as well as other revisions the Planning Board has requested. P. McCarty advised that the applicant has reviewed the draft Order of Conditions and accepts the conditions.

V. Gingrich advised that all requirements have been met except the snow storage area back by the dumpster area needs to be relocated or removed as it's too close to the wetlands. P. McCarty acknowledged that condition.

L. deWahl asked if the change in the small wetland feeder will be affect the volume and velocity flow of water into the wetlands. P. McCarty advised that McCarty Engineering and the Town's Engineering Division worked closely to design an acceptable stormwater management system.

D. Pearson asked if the snow storage will be moved. P. McCarty confirmed that they will make that change and submit it to planning. L. deWahl requested that the melt water from the snow not discharge into the wetlands.

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

V. Licciardi, T. Bradley, T. Ollila, L. deWahl, A. Rittershaus, and D. Pearson voted 6 – 0 to close the Public Hearing for 100 Eames Street – Map 38 Parcels 4 & 4C – DEP File #344-1459

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

V. Licciardi, T. Bradley, T. Ollila, L. deWahl, A. Rittershaus, and D. Pearson voted 6 – 0 to approve the Order of Conditions for 100 Eames Street – Map 38 Parcels 4 & 4C – DEP File #344-1459

PUBLIC HEARING – 63 Federal Street – Map 64 Parcel 3B – DEP File #344-1466

Documents: Notice of Intent application, received July 23, 2020
“Proposed Conditions Plan”, dated July 17, 2020
Email from Valerie Gingrich, Town of Wilmington, Planning & Conservation Dept, dated July 29, 2020
Email from Joseph Orzel, Lucas Environmental, LLC, dated July 30, 2020
Memorandum from Paul Alunni, Town of Wilmington, Engineering Division, dated August 4, 2020
“Existing Conditions Plan”, dated July 17, 2020
“Proposed Conditions Plan”, dated August 5, 2020
“Details Plan”, dated August 5, 2020

Present in Interest: Joseph Orzel, Lucas Environmental, LLC

J. Orzel presented the proposed removal of an existing deck, construction of an addition with a basement, and a deck to an existing single-family home. No grading changes are proposed and no work is proposed within the 25' setback or the within any resource area including the Bordering Land Subject to Flooding (BLSF). In response to the Engineering Division's comments, the plans were revised to show the 15' no-disturb and erosion controls. In response to V. Gingrich's comments, the roof runoff will be collected by rain barrels, the grass clippings and branch trimmings within the wetlands will be removed. V. Gingrich advised that there is a shed on the property that was not permitted and asked how long it had been there. The current owners bought the property in 2014 so they are not sure how long it has been there and that the moth balls previously found scattered along the property have been removed.

V. Gingrich noted that the erosion control line goes beyond the shed onto the neighbor's property and asked if the applicant has permission to place the erosion controls on the neighbor's property. J. Orzel advised that they will move the erosion controls onto the applicant's property if the neighbor objects to them being on their property. V. Gingrich asked if the Commission wishes to require demarcation on the property and a compost area.

T. Bradley has concerns about the use of rain barrels for roof runoff and the change in elevation from the proposed rain barrel to the wetlands. J. Orzel advised the yard is fairly level but there is a slope heading towards the wetlands. T. Bradley asked if the proposed deck will have a roof and if the decking material will be installed to allow water drainage. J. Orzel confirmed that the decking will be installed to allow water drainage and that the deck will not have a roof. V. Licciardi, T. Bradley, T. Ollila, L. deWahl, A. Rittershaus, and D. Pearson would like to see a form of demarcation at the top of the slope. L. deWahl requested that some gravel be placed under any rain barrels that are installed, that a demarcation line be installed, that erosion controls be placed around any excavated fill, that any equipment/machinery not go onto the grass area or resource areas, and that all materials, including construction materials, be stockpiled on paved areas. A. Rittershaus would like to see boulders for the demarcation and a compost area. J. Orzel advised that the applicant has a compost area near the shed and on the east side of the house and that both are outside the 15' no disturb and the 25' no build setbacks. D. Pearson suggested a mixture of boulders and shrubs for demarcation.

V. Gingrich asked the applicant to submit a revised plan with changes and then a draft Order of Conditions can be prepared. J. Orzel asked to review the list of requested revisions. V. Gingrich

advised that the revisions include placement of the erosion controls (on or off property), a detail locating the proposed rain barrels, the proposed area and erosion controls for the soil stock pile and construction materials, the proposed demarcation along the 15' no-disturb, and the existing compost areas. D. Pearson advised that gravel instead of rain barrels would be fine, but the plan should reflect what will be proposed.

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

V. Licciardi, T. Bradley, T. Ollila, L. deWahl, and A. Rittershaus voted 6 – 0 to continue the Public Hearing for 63 Federal Street – Map 64 Parcel 3B – DEP File #344-1466 to the September 2, 2020 Conservation Commission meeting

REQUEST FOR CERTIFICATE OF COMPLIANCE – 7 Edwards Road and Sherwood Road – Map 8 Parcel 18 – DEP File #344-1419

Documents: Email with pictures from Jonathan Langone, Langone Development Group, Inc., dated July 1, 2020

V. Gingrich advised that all conditions have been met.

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

V. Licciardi, T. Bradley, T. Ollila, T. deWahl, A. Rittershaus, and D. Pearson voted 6 – 0 to issue the Certificate of Compliance for 7 Edwards Road & Sherwood Road – Map 8 Parcel 18 – DEP File #344-1419

REQUEST FOR CERTIFICATE OF COMPLIANCE – Railroad Right-of-Way – Map R2 – DEP File #344-1211

Documents: Letter from Colin Duncan and Samuel Moffett, TRC Companies, dated August 5, 2020

Present in Interest: Samuel Moffet, TRC Companies
Clary Coutu, Keolis Commuter Services

V. Gingrich advised that the site visit confirmed that the restoration area is thriving, but there is concern over the invasive Japanese knotweed in one of the replication areas.

S. Moffett would like the Certificate of Compliance issued with the understanding that the Japanese knotweed will be removed by the end of August. S. Moffet proposed that Keolis will provide pictures and written documentation that the work was completed.

C. Coutu would also like the Certificate of Compliance issued now then remove the Japanese knotweed. She suggested a treatment that cuts back the Japanese knotweed and then administer an injection of herbicide to the root of the nine (9) or so Japanese knotweed plants. If that is acceptable, it will be applied by a professional. Documentation would be submitted once the removal is complete.

V. Licciardi, T. Bradley, T. Ollila, A. Rittershaus, and D. Pearson would like to see removal of the Japanese knotweed before issuing the Certificate of Compliance. L. deWahl is agreeable to issuing the Certificate of Compliance and have Keolis follow up with the Commission to show removal.

S. Moffet asked for clarification of the document procedures Keolis should follow for removal of the

Japanese knotweed. D. Pearson asked for pictures of the area where the plants were removed. S. Moffett advised that Keolis will treat and remove it between now and the September Conservation Commission meeting and not in perpetuity.

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

V. Licciardi, T. Bradley, T. Ollila, A. Rittershaus, and D. Pearson voted 6 – 0 to table the Request for Certificate of Compliance for Railroad Right-of-Way – Map R2 – DEP File #344-1211 to the September 2, 2020 Conservation Commission meeting

REQUEST FOR CERTIFICATE OF COMPLIANCE – Railroad Right-of-Way Wilmington Junction to Lowell Junction – Map 90 Parcel 90-116 – DEP File #344-1344

Documents: Letter from Colin Duncan and Samuel Moffett, TRC Companies, dated August 5, 2020

Present in Interest: Samuel Moffett, TRC Companies
Clary Coutu, Keolis

V. Gingrich advised that all conditions have been met.

Upon motion duly made by L. deWahl and seconded by T. Bradley,

V. Licciardi, T. Bradley, T. Ollila, L. deWahl, A. Rittershaus, and D. Pearson voted 6 – 0 to issue the Request for Certificate of Compliance for Railroad Right-of-Way – Wilmington Junction to Lowell Junction – Map 90 Parcel 90-116 – DEP File #344-1344

REQUEST FOR CERTIFICATE OF COMPLIANCE – 205R Aldrich Road – Map 9 Parcel 54E – DEP File #344-1356

Documents: Request for Certificate of Compliance, received July 16, 2020
Memorandum from P. Alunni, Town of Wilmington, Engineering Division, dated August 4, 2020

Present in Interest: Attorney Michael Newhouse

V. Gingrich advised that there is no compost area and that lawn clippings were dumped over the demarcation fence and into the 15' no-disturb area. In addition, the demarcation fence is less than 15' from the wetlands in some areas and greater than 15' in other areas. The upland side of the fence is established lawn and the other side is wetland. V. Gingrich did advise the applicant about lack of compost area and the lawn clippings.

M. Newhouse advised that he has spoken to the current owner who advised that he would correct the lawn clippings immediately. M. Newhouse stated that the amount of fencing installed beyond the 15' no-disturb area is greater than the amount of fence installed within the 15' no-disturb area. M. Newhouse forwarded the email to the owner about the compost area and feels the owner will rectify that quickly.

V. Licciardi asked how much of the fence is within the 15' no-disturb area and how much is out of the 15' setback. V. Gingrich advised that at some locations the post and rail demarcation fence is within a couple of feet of the wetlands and some parts are up to 25' away, but most of it is outside the 15' setback. T. Bradley asked if there was a reason for the variations. M. Newhouse said it appears to just have been an installation error. T. Bradley would like to see it all moved to the 15'

setback. L. deWahl would like to see the three (3) areas of the fence that comes close or within the 15' no disturb setback be moved and leave it up to the homeowner if they want to move the entire fence to the 15' no-disturb area. A. Rittershaus would like to see the fence moved out of the 15' no-disturb and that the compost area be placed on the property per the approved plan. D. Pearson would like to see the fence moved outside of the 15' no-disturb setback.

V. Gingrich clarified that the posts in the 125 square foot, 105 square foot, and the 254 square foot Areas will be move out of the 15' no-disturb setback. The Commission members agreed.

M. Newhouse would like clarification if as to what the applicant needs to do. D. Pearson advised that the applicant has to move the fence that is within the 15' setback to at least the 15' setback in 3 areas. There is one (1) small area that is less than 100 square feet that the applicant does not have to move.

D. Pearson suggested tabling the Request for Certificate of Compliance until the September 2, 2020 meeting. M. Newhouse has concerns with getting the work done by the September 2, 2020 meeting. L. deWahl suggested tabling the request until the October 7, 2020 meeting and M. Newhouse agreed.

Upon motion duly made by T. Bradley and seconded by L. deWahl,

V. Licciardi, T. Bradley, L. deWahl, T. Ollila, A. Rittershaus, and D. Pearson voted 6 – 0 to table the Certificate of Compliance for 205R Aldrich Road – Map 9 Parcel 54 – DEP File #344-1356 until the October 7, 2020 Conservation Commission meeting

REQUEST FOR CERTIFICATE OF COMPLIANCE – 30 Green Meadow Drive – Map 3 Parcel 214 – DEP File #344-1395

Documents: Request for Certificate of Compliance, received July 20, 2020
Letter from Douglas Lees, Land Engineering & Environmental Services, Inc., dated June 29, 2020
"As Built Plan", dated November 15, 2019
Pictures of No Disturb Zone signs, received August 5, 2020

V. Gingrich advised that all conditions have been met.

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

V. Licciardi, T. Bradley, T. Ollila, L. deWahl, A. Rittershaus, and D. Pearson voted 6 – 0 to issue the Certificate of Compliance for 30 Green Meadow Drive – Map 3 Parcel 214 – DEP File #344-1395

ADMINISTRATIVE TREE OR SHRUB REMOVAL

V. Gingrich asked the Commission members if they would like the applications for Administrative Tree or Shrub Removal left on future agendas or just have the copies put in the meeting packet for informational purposes for the Commission. The Commission agreed to leave them listed on the agenda.

28 Swain Road – Map 7 Parcel 74 – The applicant applied to take down two (2) damaged trees and will plant one (1) replacement tree.

38 Lawrence Street – Map 80 Parcel 50 – The applicant applied to take down five (5) damaged trees and will plant two (2) replacement trees.

31 Boutwell Street – Map 19 Parcel 36 – The applicant applied to take down two (2) damaged trees and will plant one (1) replacement tree.

D. Pearson asked if this administrative approval process is well received by the applicants and V. Gingrich confirmed that it is, especially for those who have damaged trees.

DISCUSSION

20 Murray Hill Circle – V. Gingrich advised that this single family home currently under construction and that the applicant would like to add a porch to the front of the house that is not on the approved plan. The proposed porch will be 77' from the wetland and asked if the applicant needs to submit another RDA for the porch. L. deWahl asked that if the porch adds impervious area that it be included in the applicant calculations.

The Commission members agreed to allow the applicant to build the porch and show the porch on the As-Built Plan.

Grant Application for the Municipal Vulnerability Plan (MVP) and Hazard Mitigation Plan (HMP) Update - The Town is preparing a grant application for an MVP plan and an HMP plan update. The Town would like the Conservation Commission's support and if they agree, D. Pearson could sign a recommendation letter for the grant application. The MVP looks at climate changes and help plan for potential changes. The HMP looks at our current hazards (flooding, wind, increase in temperature and rain) and helps plan for that. The Commission members agreed to supporting the grant application.

MINUTES - June 3, 2020

Upon motion duly made by T. Bradley and seconded by L. deWahl,

D. Pearson, T. Bradley, L. deWahl, V. Licciardi, T. Ollila, and A. Rittershaus voted 6 – 0 to accept the minutes for the June 3, 2020 Conservation Commission meeting as amended.

MINUTES – June 25, 2020

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

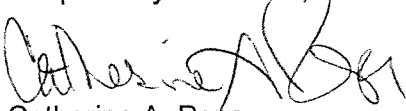
D. Pearson, T. Bradley, L. deWahl, V. Licciardi, and T. Ollila voted 5 – 0 to accept the June 25, 2020 Conservation Commission meeting as amended.

Next meeting – September 2, 2020

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

VOTED BY: Vincent Licciardi, Theron Bradley, Thomas Ollila, and Donald Person to adjourn the meeting at 9:38 pm.

Respectfully submitted,



Catherine A. Pepe
Senior Clerk