



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

PLANNING & CONSERVATION  
DEPARTMENT

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**CONSERVATION COMMISSION MINUTES**

September 7, 2016

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

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY –  
ALLSTON AVENUE, CUNINGHAM STREET, JACOBS STREET ROW – MAP 69**

Documents: Plan: Cunningham at Allston Avenue, STA 8+00 to STA 12+50, Drainage Improvement Project, dated July 2016, Drainage Report, undated

Present in interest: R Shalom

Upon motion duly made and seconded, it was

VOTED: To issue a negative Determination of Applicability for Allston Avenue, Cunningham Street, Jacobs Street Row – Map 69

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY - 128  
MARION STREET, MAP 15, PARCEL 14U**

Documents: Plan: Building Permit Plan at #128 Marion Street, dated July 28, 2016

Present in interest: Paul , Town Engineer for DPW

P. 3<sup>rd</sup> phase of Paul clarified markings on the map and explained that Cunningham Street is flooding due to the lack of stormdrain. Catch basins will catch storm water run off on Cunningham St. Majority of work is beyond the 100' set backs except two (2) areas \_\_\_\_\_ & \_\_\_\_\_. W McGowan, clarified the correct section to \_\_\_\_\_. W asked about existing trees. Paul clarified that the trees on either side at the end of the system will have to be removed. He will have arborist clarify & advise. D Pearson asked about what w Lillian Hubbard asked if trees were going to be replaced. Paul

Present in interest: R Shalom

Deck to rear of house. Winnifred said it meets the 25' setbacks from wetlands. R passed around a diagram of the deck & staircase. Winnifred asked that the existing grass clippings be moved.

Upon motion duly made and seconded, it was unanimous negative Determination

VOTED: To issue a negative Determination of Applicability for 128 Marion Street,  
Map 15, Parcel 14U

**PUBLIC MEETING - REQUEST FOR A DETERMINATION OF APPLICABILITY -  
RAILROAD MP 16.49 WILDCAT LINE, MAP 80, PARCEL 99**

Documents: Locus Map, Culvert MP 16.49, Wildcat Branch, dated 7/21/2016, Plan:  
Culvert MP 16.49 R, Replacement, Details & Notes, Wildcat Branch, dated 9/6/16, Plan:  
Culvert Replacement, Culvert 16.49, Wildcat Branch, dated 7/28/16, Revised Plan:  
Culvert MP16.49, Replacement, Details & Notes, Wildcat Branch, dated 9/6/16, Letter:  
Keolis Request for Determination, dated 7/21/16  
Memo from Paul Alunni, dated 8/30/16

Present in interest: Clary Couti

M McInnis recused himself from discussion

C. Couti – this project was brought to Conservation in the spring due to the construction of the Merrimack bridge – massive outage of service the next 2 weekends. Replace the 3 culverts within 12 hrs. Culverts 16.49, 16.66, & 17.61 to be replaced the 1<sup>st</sup> weekend. Replacing 24" pipes within the same footprints & use headwalls if site conditions are conducive. Winnifred stated that she would have liked surveyed plans. Clary stated that there wasn't enough time, but changes are within the existing footprint with minimal impact. Winnifred stated that 1 of the impacts of the head wall Charlie Sheppard CDW Consultants. Pipes will stay the same with minimize the rip rap(?). Clary clarified that the head wall is a requirement for the existing slope that has to be rip rap down & compacted & secured. Clary stated that the improvements will minimize the erosion. Charlie stated that a civil engineer on site during work. Work will start at 6 am on Sat & continue thru midnight. All work will be staged right along the tracks with minimal impact to the sides. Winnifred asked for details on how to contain ground water. Charlie stated they would be using sediment bags. Don Pearson is amazed of the short notice for approvals. Clary explained that they had to wait for approval from MBTA & coordinate with MBTA & Merrimack Valley bridge before they could proceed with permitting. If they don't get approval, they will have to execute an emergency certificate as they must proceed the next 2 weekends. The work proceeds around the salmon run & the sturgeon – a unique situation, not an ordinary situation. They couldn't make the July meeting due to filing timing. Winnifred was on vacation & delayed the filing. Vincent asked about the Town Engineer's comments – Winnifred read Paul A comments which favored the work as long as Sharon asked about the need of Emergency Certification, Vincent asked about inclement weather & Clary confirmed that they will work thru it. Lillian Hubbard asked if there is a way to prevent trash stockpiling in the culvert how the debris. Richard state the flow wont change.

Upon motion duly made and seconded, it was

VOTED: To issue a positive Determination of Applicability for Railroad MP16.49 Wildcat Line, Map 80, Parcel 99

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY – RAILROAD MP 16.66 WILDCAT LINE, MAP 80, PARCEL 99**

Documents: Locus Map, Culvert MP 16.66, Wildcat Branch, dated 7/20/16, Plan: Culvert MP 16.66, Replacement, Details & Notes, Wildcat Branch, , Plan: Culvert Replacement, Culvert 16.66, Wildcat Branch, dated 7.26.16, Revised Plan: Culvert MP16.66, Replacement, Details & Notes, Wildcat Branch, dated 9/6/16, Letter: Keolis Request for Determination, dated 7/22/16

Memo from Paul Alunni, dated 8/30/16

Upon motion duly made and seconded, it was

VOTED: To issue a positive Determination of Applicability for Railroad MP16.66

VOTED: To close the public hearing for Railroad MP 16.66 Wildcat Line, Map 80, Parcel 99

VOTED: To issue an Order of Conditions for Railroad MP 16.66 Wildcat Line, Map 80, Parcel 99

**PUBLIC MEETING – REQUEST FOR A DETERMINATION OF APPLICABILITY – RAILROAD MP 17.61 WILDCAT LINE, MAP 80, PARCEL 99**

Documents: Locus Map, Culvert MP 17.61, Wildcat Branch, dated 7/20/16, Plan: Culvert MP17.61, Replacement, Details & Notes, Wildcat Branch, Wilmington, MA, dated 8/11/16, Plan: Culvert Replacement, Culvert 17.61, Wildcat Branch, dated 8/17/16, Revised Plans: Culvert MP17.61, Replacement Details & Notes, Wildcat Branch, Letter: Keolis Request for Determination, dated 7/22/16

Memo from: Paul ALunni, dated 8/30/16

VOTED: To issue a a negagibe Determination

**PUBLIC HEARING – NOTICE OF INTENT – 804 WOBURN STREET, MAPS 46/47 PARCELS 130/2 – DEP FILE #344-1338**

Documents: Plans: Analog Devices, Proposed Building #7, 804 Woburn Street, (14 pages), dated 8/5/16, Stormwater Report, dated 8/5/16

Memo from Paul Alunni, dated 8/31/16

Brian Lawlor, Civil Engineer from SMMA & Scott Baird also of SMMA

B Lawlor spoke about Bldg 7. The proposed bldg. is an office R&D bldg., to be done in 2 phases – build the bulging with just the 1<sup>st</sup> floor being occupied with a 500 seat cafeteria & the balance office & R&D & the parking area. The 2<sup>nd</sup> phase will be the full occupancy (2<sup>nd</sup> & 3<sup>rd</sup> floor) of the bldg. Analog wants to avoid any additional surface parking along the

driveway & to maintain the existing walking sites. (The new driveway is proposed off of Industrial Way.) They have reviewed all effected areas to ensure minimal impact & no additional impact to Oxbow Dr. Scott spoke about treating & servicing the Stormwater, a recharge area due to roof runoff. 3 water quality units to meet 80% TSS removal. B Lawlor spoke about the separation from the wetlands. Winnifred spoke about the stormwater comments from 9/6 planning board meeting, many were addressed tonight, but the committee will wait for answers to the remaining areas in question. M McInnis asked about a slight increase. Don Pearce asked about the parking structure in phase 2 &

Carolyn Parese, 17 Oxbow Dr – what is the environmental impact to the area behind her backyard. Winnifred stated that it is standard language

J 11 Oxbow Dr – asked if the wetland area will be effected & Scott explained that there won't be any change in the wetlands areas.

Upon motion duly made and seconded, it was

VOTED: To continue the hearing to October 5th

**PUBLIC HEARING – NOTICE OF INTENT – 10 TEMPLE STREET, MAP 51, PARCEL 4 – DEP FILE #344-1342**

Documents: Plan: Subsurface Septic Disposal System Replacement, 10 Temple St, dated 8/9/16

Luke Roy, LJR Engineering

Raze the Existing single family 3 bedroom home & build a new single family with new septic system. The wetland line to new home 31' with 26' from deck to wetland. Entire property is within the 100' buffer zone, septic is in front of house & 50' from wetlands. Remove existing driveway pavement & free standing garage be razed & proposing a demarcation line (probably post fence) & restore the buffer area. Proposed renovations decrease by approximately 15%. Septic system will be built up a bit with a 2-3' retention wall built around it. Septic system approved by BOH. Winnifred mentioned speaking to SE Wright about removing existing yard waste & shifting a bit to save the trees in the effected area.

Upon motion duly made and seconded, it was

VOTED: Unanimous to close

VOTED: To close the public hearing for 10 Temple Street, Map 51, Parcel 4, DEP File #344-1342

VOTED: To issue an Order of Conditions for 10 Temple Street – Map 51, Parcel 4 – DEP File #344-1342

**PUBLIC HEARING – NOTICE OF INTENT – RAILROAD MP15.69 MAP 52 PARCEL 60 – DEP FILE #344-1339**

Documents: Plan: Culvert MP15.69 Replacement Plan, Wildcat Branch, dated 8/11/16, Revised Plan: Culvert MP15.69, Replacement Plan, Wildcat Branch, dated 9/6/16,

Memo from Paul Alunni, dated 8/30/16

Present in interest: Clary Cuiti & Rich

M McInnis recused himself from this portion of meeting

C spoke to replacing in kind, culverts # 16.05, 16.35, & 15.69. R addressed that most of the disturbance is to the rip rap. Install new rip rap, pipe, & head wall. Winnifred reviewed the Town Engineer's comments. The flood plan is approx. 85' from work with a spot grade of about 92' & that there shouldn't be any connection to the wetlands. They can change to pipe 2-3' if necessary (as noted by Town Engineer).

Leave wording as is in OOC 30 & Keolis will determine if riprap is needed.

Upon motion duly made and seconded, it was in favor of OOC (Sharon) unanimous

VOTED: To close the public hearing for Railroad MP15.69– Map 52 Parcel 60 – DEP File #344-1339

VOTED: To issue an Order of Conditions for Railroad MP15.69 – Map 52 Parcel 60 – DEP File #344-1339

**PUBLIC HEARING – NOTICE OF INTENT – RAILROAD MP16.05 MAP 66 PARCEL 97 – DEP FILE #344-1340**

Documents: Plan: Culvert MP16.05 Replacement Plan, Wildcat Branch, dated 8/11/16,  
Revised Plan: Culvert MP16.05 Replacement Plan, Wildcat Branch, dated 9/6/16

Memo from Paul Alunni, dated 8/30/16

Present in interest: C Cuiti & R

R stated they propose to replace in kind. Winnifred asked if they could avoid using the riprap. R stated that they would try not to, but won't know until the work is actually done to stabilize the slopes

Upon motion duly made and seconded, it was Don motioned to issue the OOC, Sharon seconded & unanimous

VOTED: To close the public hearing for Railroad MP16.05 Map 66 Parcel 97 – DEP File #344-1340

VOTED: To issue on Order of Conditions for Railroad MP16.05 Map 66 Parcel 97 – File #344-1340

**PUBLIC HEARING – NOTICE OF INTENT – RAILROAD MP16.35 MAP 67 PARCEL 114 DEP FILE #344-1341**

Documents: Plan: Culvert MP16.35 Replacement Plan, Wildcat Branch, dated 8/11/16,

Revised Plan: Culvert MP16.35 Replacement Plan, Wildcat Branch, dated 9/6/16, Letter: William Betters, dated 8/25/16

Memo from Paul Alunni, dated 8/30/16

R stated they propose to replace in kind with riprap if needed to stabilize slope. Winnifred questioned the grade, R advised that they hope to match the existing, but Winnifred didn't seem to think it was noted. Also reviewed the Town Engineer's comments. CDW will provide the riprap calculations. Don Pearson asked if Keolis would spread some seeding & Clary confirmed that they would. Don questioned what would happen to unused existing material. Clary stated that they would take it away & not leave it onsite. Don asked that they document the lack of hydraulic

Clary stated that this work & the previous work is essential to the public safety & she will proceed with the Emergency Certificate. Asked about switching the weekends if possible, but Winnifred didn't think it met the time requirements.

Upon motion duly made and seconded, it was voted to close hearing on 15.69 DPearson unanimous

DP close hearing on 15.69 – unanimous

Sharon close hearing on 15.65 unanimous

Unanimous to accept the OOC

VOTED: To close the public hearing for Railroad MP16.35 Map 67 Parcel 114 – DEP #344-1341

VOTED: To issue on Order of Conditions for Railroad MP16.35 Map 67 Parcel 114 – DEP #344-1341

**PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE DELINEATION – 205 ALDRICH ROAD – MAP 9 PARCEL 54 – DEP FILE #344-1337**

Documents: Plan: Existing Conditions Plan, 205 Aldrich Road, Wilmington, MA Map 9 Lot 54, Revised date: 8/23/16, DEP Delineation Field Forms, dated 8/31/16

Present in interest:

Discrepancy in the Medford Ave. wetlands. Wants to bring driveway from Medford Ave & not Aldrich Rd. Would like to close & resolve issues in Notice of Intent.

Wetlands can't be determined without the use of a backhoe. Bob P, 207 Aldrich Rd

Questioned how property can be developed between two R20 lots.

M Falkingham, 203 Aldrich Rd provided pictures from last year showing how wet property is during "non-drought" conditions. Concerns that building the new house will flood both 207 Aldrich & 203 Aldrich Rd. M Falkingham has plans showing the entire lot is wetlands.

Sharon stated that many of the details will be disclosed during the Notice of Intent & their concerns should be addressed then.

Laurie asked why Flag 8 moved? It was moved during a walk thru with Winnifred

Upon motion duly made and seconded, it was D Pearson & Sharon second - unanimous

VOTED: To close the hearing for excluding flag #3B, 4B, & 5B

**CONTINUED PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE  
DELINEATION – 401 ANDOVER STREET AND REAR – MAP R3 PARCELS 8, 10 – DEP  
FILE #344-1334**

Documents: Plan: Wetland Delineation Plan, 401 Andover Street, Wilmington, MA Map R3 Parcel 8, 10, dated July 14, 2016, Revised Wetland Delineation Plan, 401 Andover Street, Wilmington, MA Map R3 Parcel 8, 10, dated 8/16/16

Present in interest:

Flag 1B disagreement. Looking for an agreement on the majority of the flags & will address the questionable one in the NOI

Upon motion duly made and seconded, it was  
Sharon motioned to close the hearing excluding flag 1B, Don Seconded unanimous

VOTED: to close the hearing excluding flag 1B

**CONTINUED 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, DEP Delineation Field Date Form, dated 6/23/16

Present in interest:

Needs to make changes on 3 of the flags. 2 flags are in areas that nothing can be done with the land. His notes were incomplete & he will make the changes as requested. Exclude flags 28X, 38B, &

Upon motion duly made and seconded, it was  
Close the hearing excluding 28X & 38B unanimous vote to close

VOTED: To close the hearing for 79 Nichols Street – Map 35 Parcel 29 – DEP File  
#344-1336 excluding flags #28X & 38B.

**OTHER BUSINESS  
DISCUSSION – REQUEST FOR A MODIFICATION – 15 CHURCH STREET, MAP 41,  
PARCELS 108, 109 – DEP FILE #344-1133**

Documents: Letter: Northeastern Development Corp., dated 8/17/16

Present in interest:

Upon motion duly made and seconded, it was

VOTED:

### **63 ADAMS STREET MAP 40, PARCEL 62 DETERMINATION**

Documents: Revised Plan: Mortgage Survey Plan, 63 Adams Street Map 40 Parcel 62 undated, Letter: Zuzana Oncrackova, dated 8/31/16

**Request for modification – voted to unanimous acceptance**

### **DISCUSSION**

53 High St – Map 41 Parcel 6F – DEP File #344-1031

Railroad Bridge at Shawsheen River – easement for working on Map 36 Parcel 160

### **DECISION – ORDER OF CONDITIONS**

**CERTIFICATE OF COMPLIANCE – 393 SHAWSHEEN AVENUE – MAP 35 PARCEL 23E – DEP FILE #344-1320**

Table it

VOTED:

### **AGENT UPDATE**

Town Clean-up Day September 24, 2016

### **MINUTES – August 3, 2016**

VOTED: To approve the minutes for August 3, 2016, with correction to p 5, 3<sup>rd</sup> to last line 79 Nichols St, typo – says “he has” should say “he was”

### **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 10:44 pm.

Respectfully submitted,

Catherine A Pepe  
Assistant Director of Planning and Conservation