

**TOWN OF WILMINGTON****DEPARTMENT OF PLANNING & CONSERVATION**121 GLEN ROAD, WILMINGTON, MA 01887 www.wilmingtonma.gov (978) 658-8238**CONSERVATION COMMISSION MINUTES**

November 1, 2023

Donald Pearson called the meeting to order at 7:00 p.m. Theron Bradley, William Wierzbicki, Jean Marie Cole, and Frank Silveira were also present. Michael McInnis and Vincent Licciardi were absent. Valerie Gingrich, Director of Planning & Conservation, Cameron Lynch, Conservation Agent, and Erika Speight, Conservation Senior Clerk were also present.

**CONTINUED PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 410
Lowell Street – Map 49 Parcel 57D**

Documents: "Request to Continue" email, received October 28, 2023

Present in Interest: Michael McCoy, Owner & Applicant

The applicant requested to continue to the December 6, 2023, Conservation Commission meeting.

Upon motion duly made by J. Cole and seconded by T. Bradley, it was unanimously

VOTED: To continue the Public Meeting for 110 Lowell Street – Map 49 Parcel 57D to the December 6, 2023, Conservation Commission meeting

**CONTINUED PUBLIC MEETING – REQUEST FOR DETERMINATION OF APPLICABILITY – 409
Salem Street – Map 95-8 Parcel 17J**

Documents: "Request to Continue" email, received October 20, 2023

Present in Interest: None.

The applicant requested to continue to the December 6, 2023, Conservation Commission meeting.

Upon motion duly made by J. Cole and seconded by T. Bradley, it was unanimously

VOTED: To continue the Public Meeting for 409 Salem Street – Map 95-8 Parcel 17J to the December 6, 2023, Conservation Commission meeting

PUBLIC HEARING – NOTICE OF INTENT – Lee Avenue – Map 58 Parcel 25 – DEP File #344-1536

Documents: NOI application & materials, received October 11, 2023
"Roadway Improvement Plan," dated April 1, 2023
Stormwater Analysis, revised September 2023

Present in Interest: Joseph Shamon, Owner & Applicant
Luke Roy, LJR Engineering Inc., Representative

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TOWN OF WILMINGTON, MASS.

L. Roy introduced himself and stated the parcel is currently an entirely wooded vacant lot, and they are proposing to develop one (1) single-family home. He explained that they have delineated the Resource Areas on the property and there are Bordering Vegetated Wetlands (BVWs) that cross midway through the rear of the property. There will be a certain portion of roadway improvements that need to be made for the lot to be developed, and most of the work associated with that will be located entirely outside the 100' Buffer Zone. He explained that the dwelling will be 39' away from the wetlands at the closest point, with a septic system proposed in the front of the house mostly outside of the Buffer Zone, and a driveway serving the right side of the home, with a portion of it that will be within the 100' Buffer Zone. He explained that they're working with the Planning Board for roadway improvements as well as making some changes to the stormwater infrastructure that will be within an easement on the property. The stormwater barrier will be within the 100' Buffer Zone and the infiltration basin is proposed to be 50' away from the wetland boundary with no grading extending into the 15' no disturb. They are proposing demarcation in the form of a fence or boulders that will run the entire length of the 15' no disturb behind the dwelling. In addition, they are proposing a roof drain system for stormwater runoff from the roof of the home, and the runoff from the driveway will go into a stone trench along the driveway, and then go into the stormwater system that will be designed to fully comply with DEP standards for treatment. They have standard erosion control specified on the plan and a DEP file number was issued as well.

C. Lynch stated they are recommending a Peer Review of the BVW line since it is a gradual slope and there isn't a visible bank that shows the change in elevation from the wetland to the upland.

J. Cole asked about the connection between Lee Avenue and Perry Avenue.

L. Roy stated Perry Avenue is a paper street and there is no current proposal to construct Perry Avenue.

D. Pearson asked if it is a street or just trees.

L. Roy stated currently there is no physical paved street, there are some trees and some grassy areas, but it is a paper street.

D. Pearson asked if there will be any grading in the area that is a paper street.

L. Roy stated they won't be constructing a street there, but there will be a certain amount of grading associated with blending or tapering the grade from the stormwater basin and that was one of the things initially. They've had the stormwater basin situated halfway into the paper street, working with the Planning Board and they consulted with Town Counsel, they thought that it should be situated more on the subject property itself within an easement and that is what they are proposing. He explained there will be some grading on the paper street, and having frontage allows them the right to do that.

D. Pearson asked where the collected water from the stormwater structure will be going.

L. Roy explained that there is a watershed that is contributory to this point and currently everything comes down to that point uncontrolled, which flows into the wetland boundary. He explained there is a high velocity with bigger storm events or a high intensity storm event, so they are proposing this stormwater infrastructure not only to improve that situation, but also to capture the runoff from the driveway to the home, the overflow from the roof drain system that will go there, be controlled and slowed down, and then infiltrated into the ground as an improvement whereas right now it runs off uncontrolled down to the wetland.

D. Pearson asked how the erosion aspect will be dealt with.

L. Roy stated there will be a berm along the turnaround area that'll be constructed, stone aprons in the forebay that'll slow the flow down, and a surface treatment that will not be subject to erosion.

J. Shamon stated the watershed has run down Lee Avenue for not only years, but decades and there is one (1) catch basin that would catch it, and most runs down the street, where neighbors have been suffering and commenting on that for decades. He explained that it has been a long-standing issue and what they are proposing will alleviate and make it better for not only this property, but the whole watershed and neighborhood as well.

D. Webber commented from the public and asked how the drainage will be maintained and if there will be an Operation and Maintenance (O&M) manual.

L. Roy stated they submitted an O&M plan as part of the stormwater report of the project and that's still being fine-tuned with the Planning Board, but they are currently proposing that it be the homeowner's responsibility since there is not much other option. He explained they are still working out the details of how that can be implemented.

D. Webber asked if the homeowners would be legally obligated.

L. Roy stated a lot of times this is something that will be referenced in the deed, something that is documented and on record stating it's the homeowner's responsibility.

D. Webber asked who would check to ensure that the homeowners are doing what they're supposed to.

L. Roy stated they are working with the Planning Board to fine-tune that.

J. Cole suggested adding a condition to require the maintenance of the basin into the Order of Conditions (OOC) as well.

C. Lynch stated it could be an ongoing condition that the basin be maintained with dates stating it needs to be cleaned out on a regular basis.

D. Pearson stated the Engineering Division would be responsible for checking the basin to ensure it is built according to the as-built plan.

C. Lynch stated there will be multiple eyes on it after it's constructed and before it's closed out, since he will be going out to check as well.

L. Roy asked for clarification as to why a Peer Review would be needed.

C. Lynch stated to confirm the topography. He explained that flags 6A and 7A look like the wetland line may come up a little closer than where they are shown, so the Commission would like an outside party to review it for confirmation.

Upon motion duly made by J. Cole and seconded by T. Bradley, it was unanimously

VOTED: To continue the Public Hearing for Lee Avenue – Map 58 Parcel 25 – DEP File #344-1536 to the December 6, 2023, Conservation Commission meeting

PUBLIC HEARING – NOTICE OF INTENT – 15 Boutwell Street – Map 18 Parcel 13A – DEP File #344-1533

Documents: NOI application & materials, received October 17, 2023
"Site Plan," dated October 16, 2023

Present in Interest: Greg Saab, ESS, Representative

G. Saab stated this filing is for the dwelling on the back lot. He explained that the house will be 38' from the wetlands. At the last hearing, he filed both 13 & 15 Boutwell Street together, but has since separated them into two (2) separate Notice of Intent (NOI) per the Town's recommendation. One of the main comments discussed at the last meeting was regarding erosion control and to indicate that the demarcation will run along the lot close to the 15' no disturb, being 16-17' at the closest point. The other comment discussed was to show the proposed trees on the plan, and he confirmed they will be shown in a darker black color. He mentioned there was a question at the last meeting regarding the distance from the septic system to the driveway trench, in which they addressed the comments from both Engineering and Conservation. G. Saab explained they had a stream stat done and it doesn't fall under the Rivers Protection Act.

C. Lynch asked what type of demarcation they will be using and what type of trees they will be planting.

G. Saab stated it will be a fence for demarcation and the trees will be determined from the Town list. He suggested white pines along the walking path as well as a line of arborvitaes to line the walkway.

T. Bradley asked if a Peer Review would be necessary.

C. Lynch explained that the wetland line is obvious on this site and even from street view you can visibly see the change in the lawn area to the slope of the wetland area.

V. Chiricosta and M. D'Ambrosio commented from the public. V. Chiricosta asked if they'll be placing boulders along the 400' pedway side.

G. Saab stated there won't be boulders. The erosion control will be along that wetland side of the pedway.

V. Chiricosta asked about the tree plantings and clarified that there will only be three (3) tree plantings in the upper right corner of the lot.

G. Saab confirmed.

V. Chiricosta stated he submitted three (3) videos after a heavy rain event of the wetland stream and explained that it looks more like a river to him and asked if that was of concern to the Commission.

C. Lynch explained that the applicant ran a streams stat report to confirm it wasn't a river and if it was, it would have a whole other set of regulations, but from that report, it is not considered a river. He stated they do meet all the structural and Conservation setbacks.

V. Chiricosta asked if the public has a right to ask for conditions based on the approval.

C. Lynch welcomed him to read through the draft conditions.

V. Chiricosta asked for more than three (3) trees to be planted to create more of a barrier.

M. D'Ambrosio asked how they can be reassured that by adding two (2) more septic systems, the flow won't be affected downstream.

G. Saab explained the flow slopes down towards the stream and they will be adding a roof drain system and a driveway system to both houses.

D. Pearson reiterated that there was a request to add more trees, and more trees will be added, there was a request to add a screen of trees along the walkway and that's considered. He stated if the proposal passes all the rules, the development can happen.

V. Chiricosta stated he doesn't want the Commission to think he only wants more trees planted and there are much greater concerns.

D. Pearson stated he may be able to talk with the developer after the fact and discuss his concerns as well.

M. D'Ambrosio asked who would be responsible for reviewing the downstream impact.

D. Pearson stated if something were to go wrong, corrective action would be taken, but there are rules that must be followed.

V. Gingrich stated the Engineering Division reviewed the plan for stormwater to see if it meets the Town Bylaw and regulations and they concluded that it does, and they don't have any more comments.

J. Cole asked if porous pavement could be used so that runoff could be infiltrated.

G. Saab stated as it shows now, it does meet the requirements of the Town with the drainage trench.

The Commission agreed on boulders for demarcation.

Upon motion duly made by T. Bradley and seconded by F. Silveira, it was unanimously

VOTED: To close the Public Hearing for 15 Boutwell Street – Map 18 Parcel 13A – DEP File #344-1533

Upon motion duly made by J. Cole and seconded by W. Wierzbicki, it was unanimously

VOTED: To issue the Order of Conditions for 15 Boutwell Street – Map 18 Parcel 13A – DEP File #344-1533 as amended.

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 13 Boutwell Street – Map 18 Parcel 13 – DEP File #344-1532

Documents: NOI application & materials, revised October 18, 2023
StreamStats Report, received October 30, 2023
Norse Stream Memo, received October 30, 2023
Letter from Engineer, dated October 20, 2023

Present in Interest: Greg Saab, ESS, Representative

G. Saab stated they are proposing to remove the existing dwelling and build a new dwelling with a detached garage. The house will have a roof drain system as well as a driveway system with boulder demarcation along the 15' no disturb.

C. Lynch stated the draft Order of Conditions (OOC) was sent out to the applicant and read condition #22 stating to add the address to each lot on the plan. He also explained that the demarcation will be updated to boulders only.

V. Chiricosta commented from the public and wanted to renew his objection to the development of 13 Boutwell Street given the illusionary frontage on the western side of the property.

V. Gingrich stated the Planning Board signed an Approval Not Required (ANR) plan dividing the lots because they met all the requirements.

Upon motion duly made by T. Bradley and seconded by W. Wierzbicki, it was unanimously

VOTED: To close the Public Hearing for 13 Boutwell Street – Map 18 Parcel 13 – DEP File #344-1532

Upon motion duly made by F. Silveira and seconded by J. Cole, it was unanimously

VOTED: To issue the Order of Conditions for 13 Boutwell Street – Map 18 Parcel 13 – DEP File #344-1532 as amended.

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 2 Darby Lane – Map 10 Parcel 5 – DEP File #344-1535

Documents: NOI application & materials, received September 20, 2023
“Notice of Intent” Plan, dated September 18, 2023
Engineering Review No.1, dated October 3, 2023

Present in Interest: Maureen Herald, Norse Environmental Services, Representative

M. Herald introduced herself and explained they are proposing a single-family dwelling, driveway, grading, and retaining wall. She stated on the plan, the Bordering Vegetated Wetlands (BVWs) are located across the street, and the 100' Buffer Zone goes through a quarter of the lot. The Engineering Division provided a comment letter questioning the infiltration that was different from the original approved plan, and in addition to that, per the subdivision, there is a 30' buffer off the roadway that faces Hopkins Street. The plans are in the process of being revised to incorporate a rain garden and in addition to that, they are proposing to restore and plant the 30' Buffer Zone.

D. Pearson asked what they are planning to plant.

M. Herald stated essentially native species, most likely a mixture of trees and shrubs and they can refer to the Town list if the Commission would like.

D. Pearson asked if there would be a proposed landscape wall.

M. Herald explained they are hoping to incorporate a retaining wall, so the 30' buffer will be well marked and planted. She stated the original plan showed rooftop infiltration out of a cultec chamber, but they are now proposing a rain garden.

C. Lynch stated there are no comments at this time. He questioned why they are proposing a retaining wall rather than natural vegetation.

M. Herald explained the existing grade is 118, and they are proposing 124. She stated the septic system will need to be mounded, so it would be tying into mounding the septic and the grades and opening the wall.

V. Gingrich advised M. Herald to submit the plans to the Board of Health as well, so they can review the septic.

No comments were made by the public.

Upon motion duly made by J. Cole and seconded by F. Silveira, it was unanimously

VOTED: To continue the Public Hearing for 2 Darby Lane – Map 10 Parcel 5 – DEP File #344-1535 to the December 6, 2023, Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 16 Darby Lane – Map 10 Parcel 41 – DEP File #344-1534

Documents: NOI application & materials, received September 20, 2023
"Notice of Intent" Plan, dated September 18, 2023
Engineering Review No.1, dated October 3, 2023

Present in Interest: Maureen Herald, Norse Environmental Services, Representative

M. Herald stated that this lot is located at the end of the cul-de-sac, and they are proposing a single-family dwelling, driveway, patio, and grading. The Engineering Division commented stating they needed to revise the infiltration and suggested shifting the driveway entrance because it is located near the catch basins.

C. Lynch commented saying the house is so close to the post-and-rail fence and asked how the wall would be built without going into the 30' buffer.

M. Herald stated the erosion controls can be staked in the field prior to them being installed and the house will need to be staked because they are so close to the no disturb.

V. Gingrich stated the buildability is in question considering that the rear line is a no disturb and whether it would be appropriate for the future.

D. Pearson asked if their engineer has similar considerations that it might not be feasible to build when the foundation would be basically sitting on the 25' no build.

M. Herald stated they believe it is possible to build and they would need to stake it, make sure they don't encroach, and ensure that the demarcation is clear. She asked if the Commission would consider reducing the setback to 20'.

V. Gingrich stated it is a Planning Board regulation that can't be reduced. She stated that she's unsure how it would be possible to put siding on the rear of the home or do any sort of repairs being at that line.

M. Herald stated she can voice the concerns of the Commission to her client to see if he would consider reducing the width of the dwelling to provide more of a buffer from the post-and-rail fence. She explained that she will have the engineer add existing grades to the plan so that they can be reviewed at the next meeting.

No comments were made by the public.

Upon motion duly made by J. Cole and seconded by F. Silveira, it was unanimously

VOTED: To continue the Public Hearing for 16 Darby Lane – Map 10 Parcel 41 – DEP File #344-1534 to the December 6, 2023, Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 911 Main Street – Map 25 Parcel 4 – DEP File #344-1530

Documents: None.

Present in Interest: Jill Mann, Mann & Mann P.C, Attorney
Thad Berry, ASB Design Group, PE
Bob Autenzio, Owner & Applicant

T. Berry explained that he has been working with the applicant to start moving the materials and they have been taking the concrete blocks to a facility in Danvers to be able to rearrange the bins. He stated he hasn't had a chance to make the stormwater calculation changes yet but will be working to ensure those are submitted prior to the next meeting. Once they receive approval for the calculations, they will be able to start working on it to ensure it gets done according to the plan.

D. Pearson confirmed that they will be at the December 6th meeting with new plans.

T. Bradley asked what the Commission can expect from them when they return in December.

T. Berry explained he will have the plans and the calculations submitted next week for the Town Engineer's review.

Upon motion duly made by F. Silveira and seconded by T. Bradley, it was unanimously

VOTED: To continue the Public Hearing for 911 Main Street – Map 25 Parcel 4 – DEP File #344-1530 to the December 6, 2023, Conservation Commission meeting

CONTINUED PUBLIC HEARING – NOTICE OF INTENT – Marion Street, Eagleview Subdivision – Map 5 Parcels 2J, 3, 3A, 3C, 3D, 3E – DEP File #344-1494

Documents: "Request to Continue" email, received October 30, 2023

Present in Interest: None.

The applicant requested to continue to the December 6, 2023, Conservation Commission meeting.

Upon motion duly made by W. Wierzbicki and seconded by F. Silveira, it was four (4) in favor (D. Pearson, T. Bradley, W. Wierzbicki, and F. Silveira), and one (1) abstention (J. Cole)

VOTED: To continue the Public Hearing for Marion Street, Eagleview Subdivision – Map 5
Parcels 2J, 3, 3A, 3C, 3D, 3E – DEP File #344-1494 to the December 6, 2023,
Conservation Commission meeting

**CONTINUED PUBLIC HEARING – NOTICE OF INTENT – 79 Nichols Street – Map 35 Parcel 29 –
DEP File #344-1527**

Documents: “Request to Continue” letter, dated October 31, 2023

Present in Interest: None.

The applicant requested to continue to the December 6, 2023, Conservation Commission meeting.

Upon motion duly made by J. Cole and seconded by W. Wierzbicki, it was unanimously

VOTED: To continue the Public Hearing for 79 Nichols Street – Map 35 Parcel 29 – DEP File
#344-1527 to the December 6, 2023, Conservation Commission meeting

**CONTINUED PUBLIC HEARING – ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION –
Birch Street, Fir Street, Alder Street, Hall Street, March Road – Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9,
11 – DEP File #344-1524**

Documents: “Request to Continue” letter, dated October 30, 2023

Present in Interest: None.

The applicant requested to continue to the December 6, 2023, Conservation Commission meeting.

Upon motion duly made by F. Silveira and seconded by J. Cole, it was unanimously

VOTED: To continue the Public Hearing for Birch Street, Fir Street, Alder Street, Hall Street,
March Road – Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, 11 – DEP File #344-1524 to the
December 6, 2023, Conservation Commission meeting

**REQUEST FOR CERTIFICATE OF COMPLIANCE – 47 Boutwell Street – Map 19 Parcels 32 & 33 –
DEP File #344-1518**

Documents: Request for Certificate of Compliance, received July 18, 2023
“As Built Plan,” dated June 22, 2023
PE Letter, dated October 4, 2023

C. Lynch stated the post-and-rail fence was originally installed within the 15' Buffer Zone, which they have recently moved back, and the engineer submitted an updated plan to the Commission showing the fence relocation. He stated the Certificate of Compliance (COC) is ready to be issued.

Upon motion duly made by W. Wierzbicki and seconded by F. Silveira, it was unanimously

VOTED: To issue the Certificate of Compliance for 47 Boutwell Street – Map 19 Parcels 32 & 33
– DEP File #344-1518

REQUEST FOR CERTIFICATE OF COMPLIANCE – 157 Shawsheen Avenue – Map 33 Parcel 47 – DEP File #344-1481

Documents: Request for Certificate of Compliance, received October 17, 2023
PE Letter, dated September 28, 2023
“As Built Site Plan,” dated June 20, 2023

C. Lynch stated the Certificate of Compliance (COC) is ready to be issued.

Upon motion duly made by J. Cole and seconded by F. Silveira, it was unanimously

VOTED: To issue the Certificate of Compliance for 157 Shawsheen Avenue – Map 33 Parcel 47 – DEP File #344-1481

REQUEST FOR CERTIFICATE OF COMPLIANCE – 99 Fordham Road – Map 99 Parcel 135 – DEP File #344-1489

Documents: Request for Certificate of Compliance, received October 17, 2023
“As-Built Survey,” dated October 12, 2023
O&M Manual, received October 17, 2023
“As Built Plan,” dated November 28, 2022
Stormwater As Built, dated December 6, 2022

C. Lynch stated he went out to the site, and it looked like it was in good shape, but the Engineering Division hasn't had a chance to review the Certificate of Compliance (COC) yet, so it will have to be tabled to the next meeting.

Upon motion duly made by F. Silveira and seconded by J. Cole, it was unanimously

VOTED: To table the Certificate of Compliance for 99 Fordham Road – Map 99 Parcel 135 – DEP File #344-1489 to the December 6, 2023, Conservation Commission meeting

ENFORCEMENT ORDER

4 Wilton Drive – Map 21 Parcel 3M

C. Lynch explained that the homeowner did a lot of restoration to the back of the property a few months ago, and the Commission wanted to wait to close it out until growth started to happen. He explained that the site is at a point where it is okay to be closed out if the Commission would like to, or they can wait until the next meeting and C. Lynch can draft a “return to compliance” letter that they can vote on and close out at the next meeting.

All Commissioner's agreed to wait to close out the Order until the next meeting.

10 Pond Street – Map 34 Parcel 146 – DEP File #344-1067

M. Herald introduced herself and explained that the Conservation Commission approved a single-family dwelling around 2007 and issued an Order of Conditions (OOC). Approximately around 2008, the homeowner received a Certificate of Compliance (COC) to close out the permit. Since that permit was closed out, additional work has been done on the property without a permit through the Commission. There has been multiple Enforcement Orders (EO) issued by the Commission and the work performed

without a permit was the extension of a driveway, a concrete patio located to the east of the dwelling, and a fire pit that was constructed without a permit. There was a large infiltration area behind the dwelling that was filled in as well. With the expansion of the driveway, there was an impact to the Bordering Vegetated Wetlands (BVWs). They are proposing to resolve this violation by removing the asphalt driveway within the BVWs as well as the 15' no disturb, replant the wetlands by applying a New England Wetland mix, as well as the planting of plants along the 15' no disturb area to serve as demarcation so that another violation doesn't happen again. They are proposing to remove the remaining 2,400 square feet of unpermitted driveway, which will essentially provide a net reduction of 299 square feet of impervious area, and instead would like to provide pervious pavement in that area. They also are proposing to rebuild the drainage infiltration area behind the dwelling, loam and seed the area as originally approved, and remove a portion of the concrete patio. Because of the time of year, they are asking to begin restoration in the Spring, if the Commission finds that appropriate.

C. Lynch stated staff recommended a few plan changes, like adding contours or spot grade changes to show the level of restoration and asked M. Herald to submit a report to share more details regarding that area. He also recommended using the wetland seed mix in the BVW and a Conservation seed mix in the upland area, with a few more plants of variety. The drainage area was originally approved to be outside of the 15' no disturb, but the plan shows it going into the 15' no disturb more drastically. He recommended to redesign the shape of that to stay outside the 15' no disturb as best as they can. He added that post-and-rail demarcation be installed at the 15' no disturb, and to follow the plan that was originally approved and remove the chain-link fence that encroaches within 10' in a few spots. The patio area would need after-the-fact approval as well as the dock and should be done in another filing.

M. Herald agreed that all the requests seem reasonable.

T. Bradley asked for clarification as to what the property looks like currently.

M. Herald highlighted the plan and displayed what the existing condition of the property looks like currently.

W. Wierzbicki asked if the post-and-rail demarcation will go all the way around the house.

M. Herald explained it will go around a portion of the house and connect to an existing chain-link fence.

J. Cole expressed her concern about the possible damage it may cause from removing the dock and reinstalling it as well as the concrete patio.

C. Lynch explained they would need after-the-fact approval for the dock and the patio, so they wouldn't be removing it per say, they would file for it even though it is already there, for an after-the-fact approval.

F. Silveira asked what the Commission can expect to see at the next meeting.

M. Herald stated she is planning to take C. Lynch's comments and incorporate them into a revised plan, get the Commission on board for an approved restoration plan, and then file an after-the-fact permit for the patio and the dock.

52 Adams Street – Map 51 Parcel 99 – DEP File #344-1300

C. Lynch explained that prior to the last meeting, staff attended the court hearing, and the judge had the homeowner set up a site meeting with staff. He explained that there wasn't as much backyard filled in

as it appeared, and they established a general area where the homeowner would need to pull back some of the lawn and do some plantings, then reestablish the post-and-rail fence. The homeowner contracts Luke Roy as the engineer and is working towards getting a wetland scientist on site to flag the previous location of the wetlands so they know where restoration can begin. He is hopeful that they'll have something to submit for the December meeting.

773 Salem Street – Map R1 Parcel 23

C. Lynch explained that they removed all the material and seeded the area. He explained that he can draft a letter to close it out for the next meeting so the Commission can review it before it is sent out to the owner.

J. Cole asked if they've taken care of the Japanese knotweed.

C. Lynch explained that they're going to cut it down and try to put a tarp over the it as an experiment to see how well that works since it's on Town-owned land and may be able to be used for smaller cases like this in town.

687 Main Street – Map 39 Parcel 11A – DEP File #344-1473

C. Lynch stated he spoke with the contractor yesterday, and they have the bioretention areas up, running and functioning, all the plantings are in, and they are now prepping to pull up the concrete pavement, regrade and then pave that back portion of the parking lot. He thinks they are going to attempt to get it done before the winter starts. He stated they are slowly chipping away until the end.

D. Pearson asked if persistent frost would stop them.

C. Lynch stated for paving, it may make it slightly difficult if it drops below a certain temperature and stays that low for a bit. He is hopeful that they'll be able to get it done.

DISCUSSION

New Town Hall/School Administration Building

N. Ketchel explained that there are Bordering Vegetated Wetlands (BVWs) in the northeast corner of the site. The BVWs are at the top of the site and drain downward towards the parking lot and then ultimately drain into an existing catch basin on the northern edge of the parking lot. The pavement of the parking lot is in poor condition, so the intent is to replace the pavement, and they will be looking to demolish the existing concrete steps as well. Due to the size of the building, there will be some clearing of the existing tree line and will be pushed back to the 15' no disturb line.

D. Pearson asked what the zigzag line on the plan interpreted.

N. Ketchel stated that is the existing drainage. The wetland drains to an existing catch basin on the edge of the pavement, they are proposing to demolish all the piping and install all new drainage. The building does encroach on the 50' no build. The parking will have the same footprint as the existing, however they would like to rebuild the existing catch basin along the edge of the wetland that's accepting that runoff and replace it with a deep sump catch basin to clean up the stormwater better than what's there currently, so there would be work within the 15' no disturb since that is the existing condition where the existing catch basin is. They are proposing a three-story building with a walkout at an elevation of 98 at the lower level, and the first floor will walk out to the municipal parking lot on the

first floor at an elevation of 112, with a second floor above that. There will be a staircase in the building that has an egress path, so there will be a walkway that leads out to the parking lot. Because of the grading, there will be a small retaining wall, no more than 2' tall to hold the earth. The old Senior Center building will remain at the moment, as there is no purview as to what the Town will be doing with it just yet.

D. Pearson stated the building does encroach on that 50' no build quite a bit and recommended that could be avoided by moving the building higher up towards the Senior Center.

P. O'Brien stated they are still deciding whether the Buzzell Center will remain. He explained that the building will be occupied until the new Senior Center is built, and they will be transitioning buildings during the construction of the new Town Hall building. As far as he knows, the Town hasn't decided as to what happens with that building afterwards.

N. Ketchel stated in terms of setbacks, currently they are at 26.5' and the closest point is 46.5'.

D. Pearson asked what the total square footage of the three-story building is compared to the current Town Hall and Roman House.

P. O'Brien stated when adding up all the existing square footage being put into this building, it is approximately a 20-30% increase in total square footage. In this new building, it will be about 43,000 square feet total.

D. Pearson asked if it will be designed for growth.

P. O'Brien confirmed.

N. Ketchel stated they are working on the final drainage calculations for the increase of runoff. He explained that the plan is to have a series of subsurface drainage structures to mitigate stormwater runoff with the intent to maintain the existing drainage pattern toward Middlesex Avenue.

J. Cole asked if the wetlands are isolated to the upper corner of the building and asked if there would be an area for replication since they'll be within that 25'.

C. Lynch confirmed saying it's a different situation where the wetlands are above the parking lot.

P. O'Brien stated if there were replication, it would push the setback further out onto the neighbor's property.

N. Ketchel stated they are planning to submit the Notice of Intent (NOI) filing at the next Conservation Commission meeting.

2024 Meeting Schedule

The Conservation Commission accepted the 2024 meeting dates and deadlines.

MINUTES – October 4, 2023

Upon motion duly made by T. Bradley and seconded by W. Wierzbicki,

J. Cole, T. Bradley, W. Wierzbicki, and F. Silveira voted 4-0 to accept the minutes for the October 4, 2023, Conservation Commission meeting. D. Pearson abstained.

NEXT MEETING – December 6, 2023

ADJOURN

There being no additional business to come before the Conservation Commission, J. Cole motioned and W. Wierzbicki seconded, it was

VOTED: By D. Pearson, T. Bradley, W. Wierzbicki, J. Cole and F. Silveira to adjourn the meeting at 9:28 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erika Speight', written in a cursive style.

Erika Speight
Senior Clerk