Notice of Public Meeting – (As required by G.L. c. 30 A, c. §18-25)

DEPT./BOARD: Board of Health Special Meeting
DATE: Tuesday, August 1, 2017
TIME: 7:00 pm
PLACE: Town Hall Annex Basement Meeting Room

AGENDA

Open Meeting/Pledge of Allegiance

Subcommittee Reports

Applications
  • Application for a Definitive Subdivision, 3 Lexington Street

Adjourn
TO: Board of Health
FROM: Christine Mathis, Environmental Engineer
DATE: July 26, 2017
RE: Application for Approval of a Definitive Subdivision
3 Lexington Street, Robert W. Murray, Trustee

The applicant proposes to raze the existing house located at 3 Lexington Street and to add three house lots accessible by a street/cul-de-sac. Please see the attached Board of Health Subcommittee minutes and site plans for a summary of the project.

Proposed Conditions

1. The Applicant shall record with the Registry of Deeds a Subdivision Roadway and a Stormwater System Maintenance Covenant, in which the subdivider, or heir, or successor to the subdivider, and all future record lot owners, agree to provide for the long term maintenance of the proposed subdivision way and stormwater system and all improvements in perpetuity. The deed for the proposed lots shall clearly reflect this requirement and the obligations associated therewith.

2. The applicant shall install the stormwater management system as described in the Stormwater Report prepared by Commonwealth Engineering, dated July 14, 2017. The stormwater Operations and Maintenance Manual contained therein must be followed. The Board of Health may require additional stormwater management system maintenance, if necessary.

3. The applicant (Lexington Trust, Robert W. Murray, Trustee) shall be responsible for stormwater management system maintenance until such time as a Home Owners Association (HOA) is formed. The Board of Health must be provided with the name and contact information for the individual or entity responsible, at Lexington Trust and the HOA, for stormwater management system maintenance. Upon formation of the HOA, the applicant will provide the BOH with the name and contact information for the HOA individual or entity responsible for stormwater management system maintenance. Records of inspections and maintenance of the stormwater management system must be submitted to the Board of Health, Conservation Commission and Planning Board on a yearly basis.
4. If additional test pits are required, they must be witnessed by a Board of Health representative. Test pit logs must be submitted to the Board of Health upon completion.

5. Stormwater and Run-off Management Plan Submittal Form must be submitted in conformance with the Board of Health Regulations for Stormwater and Runoff Management.

6. The applicant shall petition Town Meeting to accept the proposed cul-de-sac road as a Burlington public road.

7. The proponent/owner shall complete a Board of Health Pre-Demolition/Pre-Renovation Inspection Checklist prior to demolition of the site buildings.

8. Fill material may not be brought on site without approval from the Board of Health. The Board of Health will require that fill material be free of asphalt and debris and that documentation indicating the source of the fill material be provided. Prior to approval, the Board of Health may request soil sampling and analyses be conducted and/or documentation from a MA Licensed Site Professional that soil has been managed and characterized according to the MA DEP Similar Soils Provision Guidance (WSC #13-500).

9. No blasting shall occur onsite without Board of Health notification. If blasting is proposed, the proponent will have to obtain a permit from the Fire Department.

10. Should any septic systems or system components be identified during Site development, the Board of Health must be notified and soil samples must be collected from the soils surrounding the system components. Any identified septic systems or system components will be required to be properly pumped and decommissioned in accordance with applicable Board of Health and MADEP Title V regulations.

11. Should releases of oil and/or hazardous materials or other conditions be encountered during proposed site activities, the Town of Burlington Toxic and Hazardous Materials Bylaw requires that the Board of Health be notified of such releases.

12. Should any underground storage tanks be identified during Site development, the Board of Health must be notified and an assessment must be performed in accordance with MassDEP Policy WSC-402-96.

13. The Site will meet MassDEP and Burlington stormwater and erosion control standards during construction.

14. During demolition and/or construction work, dust, odor and noise control plans should be in place.

15. Following approval of recommendations by the Board of Health, any plan changes shall be submitted to the Environmental Engineer to determine whether or not another appearance before the Board of Health is required.
3 Lexington Street, Lexington Trust, Robert W, Murray, Trustee
Application for Approval of a Definitive Subdivision

Present: David Romero, P.E., Commonwealth Engineering, Inc., Dr. Ed Weiner, BOH Vice Chairman; David McSweeney, BOH Member; Susan Lumenello, Director of Public Health; and Christine Mathis, Environmental Engineer

Dr. Weiner opened the meeting and reiterated that the Board of Health (BOH) was holding a Special Meeting to hear the subdivision application for 3 Lexington Street on August 1, 2017. He also commented on the role of the BOH in reviewing and approving subdivision applications.

Mr. Romero reviewed what documents had been submitted since the last BOH meeting and gave an overview of the proposed subdivision. He explained that the current 2 acre lot has a house, free-standing garage and a pool which will be demolished. A four lot subdivision will be created with a roadway, three homes and an unbuildable lot (Parcel A). Mr. McSweeney asked what would happen to Parcel A and was told it would likely be deeded to the next door neighbor.

Mr. Romaro summarized the stormwater collection and treatment system as follows: stormwater will be pitched to two deep sump catch basins in the proposed cul-de-sac and then piped to an underground infiltration system comprised of 28 precast concrete drywells. The drywells will detain and infiltrate stormwater, holding a 100 year rain event. Overflow from the system will discharge to the adjacent wetlands. A home owner’s associate will be formed and will be responsible for the maintenance of the stormwater system.

Ms. Lumenello asked what language the BOH had applied recently to a similar subdivision. Ms. Mathis read the following condition placed by the BOH for the 101 Francis Wyman Road subdivision:
“The proponent has submitted a Drainage Report…which contains a Stormwater Management Maintenance Manual. The stormwater management system maintenance schedule contained therein must be followed. The Board of Health may require additional stormwater management system maintenance, if necessary. The applicant…shall be responsible for stormwater management system maintenance until such time as a Home Owners Association (HOA) is formed. The Board of Health must be provided with the name and contact information for the individual or entity responsible… for stormwater management system maintenance. Upon formation of the HOA, the applicant will provide the BOH with the name and contact information for the HOA individual or entity responsible for stormwater management system maintenance. Records of inspections and maintenance of the stormwater management system must be submitted to the Board of Health, Conservation Commission and Planning Board on a yearly basis.”

Test pits conducted at the site revealed well-draining, sandy soils and were witnessed by BOH staff. The curb cut for the new road will be in nearly the same place as the current driveway. Eventually, the town’s acceptance of the road will be sought. The cul-de-sac will have a sidewalk on one side.
FORM C
APPLICATION FOR APPROVAL OF A DEFINITIVE SUBDIVISION

To: The Planning Board
Town of Burlington, Massachusetts

Date: 6/19/2017

The undersigned applicant being the owner, agent or representative of the owner of all the land included
within the proposed subdivision shown on the plan which is:

"3 Lexington Street, A Definitive Subdivision in Burlington,
Entitled: Middlesex County, Massachusetts"

Prepared By: Commonwealth Engineering, Inc.

Dated: June 20, 2017
Located: 3 Lexington Street

Shown on the Town's Assessor's Map(s): 29
as Parcel(s): 146

Being land bounded as follows: See Subdivision Plan

Number of Lots Proposed: four (4), Total Acreage of Tract: ±2 acres

Hereby submits said plan as a Definitive Subdivision Plan in accordance with the Rules & Regulations
of the Burlington Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to the land being subdivided is:

Derived from: Mary Ann Murphy

By Deed Dated: August 26, 1996, Recorded in the Middlesex South

District Registry of Deeds, Book: 26608, Page: 496

Registered in the Registry District of Land Court,

Certificate of Title No.: n/a; and is free of encumbrances except for the
following: n/a
Said plan HAS (HAS NOT) evolved from a Preliminary Subdivision Plan submitted to the Planning Board on n/a and APPROVED: WITH MODIFICATIONS / DISAPPROVED (circle one)

(Please PRINT)

1. Applicant

   Name: Robert W. Murray, Trustee
   Tel: (781) 273-1000
   Company: Lexington Trust
   Mailing Address: 27 Cambridge Street, Burlington, MA 01803
   Signature:

   EMAIL rwm@murrayhills.com

2. Property Owner (if same as applicant, write “same”)

   Thomas F. Murphy, Jr.
   Name: Virginia M. Murphy
   Tel: 781-272-0900
   Company:
   Mailing Address: 3 Lexington Street, Burlington, MA 01803
   Signature: Virginia M. Murphy

3. Attorney or Legal Representative

   Name: n/a
   Tel:
   Company:
   Mailing Address:

   EMAIL:

4. Engineer, Designer or Architect

   Name: David N. Romero, P.E.
   Tel: (781) 229-0411
   Company: Commonwealth Engineering, Inc.
   Mailing Address: 27 Cambridge Street, Suite 106, Burlington, MA 01803

   EMAIL david.romero@commoneng.com
July 26, 2017

Robert W. Murray, Trustee
Lexington Trust
27 Cambridge Street
Burlington, MA 01803
(via email: rwm@murrayhills.com)

RE: 3 Lexington Street

Dear Mr. Murray:

You, or your representative, are respectfully requested to attend the following meeting of the Board of Health.

Location: Town Hall Annex, 25 Center St., Basement Large Meeting Room

Time: 7:00 p.m.

Date: Tuesday, August 1, 2017

Subject: Application for Approval of a Definitive Subdivision

Please confirm your attendance by responding to this email or by calling 781-270-1955.

For the Board of Health,

Christine Mathis
Environmental Engineer

CC: Phyllis Etsell, Murray Hills, Incorporated (via email: phyllis@murrayhills.com)
Board of Health, file