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TOWN OF BURLINGTON
Conservation Commission

MINUTES OF January 11, 2018

Approved January 25, 2018

Members Present: Chair L. Cohen, E. LoTurco, Vice-Chair W. Boivin, A. McNamara, I. Deb

Members Absent: K. Melanson, G. Lima

Also Present: Conservation Administrator J. Keeley, Assistant Conservation Administrator E. Coleman

1. Call to Order

L. Cohen called the meeting to order at 7:00 pm.

2. Citizens' Time

No one spoke.

3. Approval of Minutes – December 14, 2017

A MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 14, 2017 CONSERVATION COMMISSION MEETING WAS MADE BY A. MCNAMARA. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (4-0-1; I. DEB ABSTAINED).

4a. Request for Certificate of Compliance/Certificate of Completion/Release of Surety – Fantasia Lane (roadway) – Mary Ellen Fantasia – DEP # 122-500

Mary Ellen and Mike Fantasia represented this application.

J. Keeley could not inspect the site because of the snow coverage. Recommended deferring the decision, and requested the applicant submit the drainage maintenance contract.

Conservation Commission had no comments.

There was no one in the audience for the project.

This item was continued to the January 25, 2018 Conservation Commission meeting.

4b. Request for Certificate of Compliance/Certificate of Completion/Release of Surety – 9

Fantasia Lane (lot 4) – Mary Ellen Fantasia – DEP # 122-497

Mary Ellen and Mike Fantasia represented this application.

J. Keeley noted the house is completed, but the landscaping could not be inspected because of the snow coverage. Recommended the commission approve but hold the bond.

A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT 9 FANTASIA LANE (LOT 4), DEP #122-497, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY A. MCNAMARA AND APPROVED (5-0-0).

Conservation Commission discussed releasing a portion of the bond.

A MOTION TO RELEASE \$2,500, AND HOLD \$1,000 OF THE PERFORMANCE BOND FOR THE PROJECT AT 9 FANTASIA LANE (LOT 4), DEP #122-497, WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (5-0-0).

4c. Request for Certificate of Compliance/Certificate of Completion/Release of Surety – 18 Third Avenue – Burlington L W Hotel Associates L.P. (Erosion & Sedimentation Control Permit)

Engineer Katie Moniz of the BSC Group represented this application.

J. Keeley explained the site is stable; there may be some changes to the landscaping based on what survives the winter. Recommended issuing Certificate of Completion and releasing the bond.

Conservation Commission had no comments.

There was no one in the audience for the project.

A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT 18 THIRD AVENUE, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY A. MCNAMARA AND APPROVED (5-0-0).

A MOTION TO RELEASE THE FULL AMOUNT OF THE PERFORMANCE BOND \$15,000 FOR THE PROJECT AT 18 THIRD AVENUE, WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (5-0-0).

5a. Request for Determination of Applicability – 71 Third Avenue – Seventy One LLC – Install 3 ground-mounted solar trackers

Operations Manager Joe Vaccaro and owner Matt Powers of Northeast Solar Services d/b/a Revolusun represented this application.

The representatives of Northeast Solar Services explained 6 trees need to be removed to allow the 3 ground mounted solar trackers to rotate and capture the appropriate amount of sun. The only displacement in the flood plane is for the three 10-inch tubes.

E. Coleman noted the resource area is flood plane. The applicant will dig trenches, and remove trees. She recommended approval.

The Conservation Commission confirmed there would be no filling in the area, and the trees being removed would be replaced at a 1 to 1 ratio per the bylaw.

There was no one in the audience for the project.

E. Coleman reviewed the findings and conditions.

A MOTION TO ISSUE A CONDITIONAL NEGATIVE DETERMINATION OF APPLICABILITY FOR THE PROPOSED WORK AT 71 THIRD AVENUE WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (5-0-0).

5b. Request for Determination of Applicability – 21 Azalea Drive – Steven Pepe – Construct stone wall and stone patio

Attorney Thomas Murphy of Shea, Murphy & Gulde represented this application.

Mr. Murphy explained the owner of Your Space Landscape & Construction, Inc., Steven Pepe, wants to build a stone patio and stonewall on existing lawn area.

Staff noted the resource area as BVW. It is replicated wetlands, which is the reason for this site not meeting the 40-foot no build and 20-foot no disturb setbacks. The patio will be somewhat permeable.

The Conservation Commission had no issue with the project.

There was no one in the audience for the project.

E. Coleman reviewed the findings and conditions.

A MOTION TO ISSUE A CONDITIONAL NEGATIVE DETERMINATION OF APPLICABILITY FOR THE PROPOSED WORK AT 21 AZALEA DRIVE WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY A. MCNAMARA AND APPROVED (5-0-0).

5c. Request for Determination of Applicability – 1 & 3 Burlington Woods Drive (continued) – The Gutierrez Company – Cut Trees

No testimony was taken on this matter.

This item was continued to the January 25, 2018 Conservation Commission meeting.

6. Continued Public Hearing – Notice of Intent – Wheeler Road – Jumbo Self Storage LLC/Jumbo Capital Management – Construct commercial self-storage building – DEP # 122-604

No testimony was taken on this matter.

This item was continued to the January 25, 2018 Conservation Commission meeting.

7. Continued Public Hearing – Notice of Intent – 64 Blanchard Road – Mission MA, Inc. – Remove two mobile homes & construct new commercial building with parking lot & utilities – DEP # 122-603

This item has been withdrawn.

8. Administration

a. Planning Board Filings:

- Redevelopment of 50 South Avenue (former Macaroni Grill) – erosion and sedimentation control permit
 - Conservation Commission approved the Abbreviated Notice of Resource Area Delineation on August 10, 2017
- New construction at Northeastern University suburban campus – wetlands or erosion and sedimentation permit

b. Subcommittee & Staff Reports:

Master Plan

J. Keeley announced that Kristin Kassner, Planning Director, has started presenting the Master Plan to the Planning Board, and will make a presentation at the next Town Meeting.

c. Assistant Commissioner

Jennifer O’Riorden is a Burlington resident. She is a medical and health physicist at Brigham and Women’s Hospital. As a part time adjunct faculty member at Suffolk University in the Physics and Engineering Department, she wants to get her environmental engineering students involved around town.

A MOTION TO APPOINT JENNIFER O’RIORDEN AS ASSISTANT COMMISSIONER WAS MADE BY A. MCNAMARA. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (5-0-0).

d. Upcoming meetings: January 25, 2018 & February 8, 2018

e. Other Business: None.

A MOTION TO ADJOURN THE JANUARY 11, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY A. MCNAMARA AT 7:50 PM. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (4-0-0).

*Minutes respectfully submitted by:
Noelle Judd, Recording Clerk*