MINUTES OF June 13, 2019
Approved June 27, 2019

Members Present: Chair L. Cohen, Vice-Chair W. Boivin, E. LoTurco, J. Ramsdell, I. Deb, G. Lima

Members Absent: J. O’Riorden

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 – May 23, 2019

This matter was continued to the June 27, 2019 Conservation Commission meeting.


Engineer Marissa Valentino of BSC Group represented the application.

Ms. Valentino noted the project was completed in 2015. There was a prior order of conditions, which has since been closed.

J. Keeley explained the work included reducing the deck, and adding plantings to the brook. The company closed prior to receiving a certificate.

G. Lima arrived to the meeting at 7:02 pm.

Conservation Commission had no comment.
A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT 2 WALL STREET, DEP #122-545, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY J. RAMSDELL AND APPROVED (5-0-1; G. LIMA ABSTAINED).

5a. Request for Determination of Applicability – 123 Cambridge Street (Burlington High School) – Robert Cunha – Install Project Adventure course
Director of Operations Robert Cunha of the Burlington School Department represented the application.

Mr. Cunha explained currently there is a 30 plus year old course in the woods that is out of commission. Town Meeting approved funding to build a new course. The old course will be removed, but it is not part of this project.

J. Keeley noted the proposed location is currently a grassed flat area. This is a better location than the previous location. No trees will be cut as a result of this project. Work includes putting in 15 poles and 22 anchor mounts. Except for the anchors, this is outside the no-build setback, and there is minimal excavation involved. There is a locally regulated river front area, but the staff has no issues.

Conservation Commission discussed:
- Depth of the poles, and how those would be installed
- Use of the course is built into the gym curriculum for all grades

No one in the audience spoke on this matter.

J. Keeley reviewed the findings and conditions.

A MOTION TO ISSUE A CONDITIONAL NEGATIVE DETERMINATION OF APPLICABILITY FOR THE PROPOSED WORK AT 123 CAMBRIDGE STREET (BURLINGTON HIGH SCHOOL) AVENUE WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (6-0-0).

5b. Request for Determination of Applicability – 33 Westwood Street (continued) – Nicholas Barrett – Install drainage in lawn
Homeowner Nicholas Barrett represented the application.

Mr. Barrett stated he submitted a comprehensive report to the commission for review.

J. Keeley commented the wetlands were flagged, and it is basically along the fence on both sides and in the rear. Norse Environmental’s conclusion was the wetlands surround the lot on three sides; perhaps the entire the lot was wetlands when the house was built. The argument is the lawn was not expanded toward the rear by the applicant. Fill was added on existing lawn, and the applicant installed a retaining wall near the pool. There are clearly wetlands alterations on the side of the property. There is a fence and stones in the BVW, the stone driveway was expanded to the wetlands, and recent tree cutting beyond the fence in the wetlands. The
Conservation Commission must decide if there is evidence to agree to with the argument, and determine how to proceed. Staff recommended the commission walk the site with applicant, and post that as a public meeting so the commission can deliberate on site.

Conservation Commission requested:
- Post the site visit as a public meeting

No one in the audience spoke on this matter.

This matter was continued to the June 27, 2019 Conservation Commission meeting.

Joe Blake of Blake Development, LLC represented the application.

Mr. Blake updated the Conservation Commission:
- Added post and rail fence to the plans along the driveway
- Clarified the pervious and impervious numbers
- Piping to the underground storm tech was added to the plans
- Alternatives Analysis includes the setbacks of the other homes
- Two test pits were done, and indicated on the plans

J. Keeley requested existing and proposed numbers side by side in a table. The table should include existing and proposed amounts of: degraded riverfront, yard area (excluding the replanted portion), area to be upgraded from lawn to natural, and disturbance within the 20-foot no-disturb/40-foot no-build areas.

Conservation Commission requested:
- Provide the wording of the table to the applicant
- Add the 40-foot no-build line to the plans
- Determine if a waiver is required

No one in the audience spoke on this matter.

A MOTION TO CONTINUE THIS MATTER TO THE CONSERVATION COMMISSION MEETING OF JUNE 27, 2019 WAS MADE BY J. RAMSDELL. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

Homeowner Stephen Stratford and engineer Bernard Hamill of H-star Engineering represented the application.

Mr. Hamill updated the Conservation Commission:
- Home was moved forward, and driveway/drainage system relocated
• Work sequence plan was submitted
• Alternatives Analysis was expanded
• Marked and detailed the trees on the plans
• Added driveway crown, trench drain at the end of the driveway, stockade fence to the upper bank, and stock pile location to the plans
• Examined the site for wetlands in the rear and uplands – Mr. Hamill does not believe it is wetlands
• Landscaping plan was submitted
• Added 20-foot no-disturb zone to the plans
• Details for the removal of the shed/concrete slab - included a second siltation fence

E. Coleman noted the applicant resolved the issues. Staff has no concerns.

Conservation Commission had no comment.

No one in the audience spoke on this matter.

E. Coleman reviewed the finding and conditions.

A MOTION TO CLOSE THE HEARING FOR THE PROJECT AT 10 WING TERRACE, DEP #122-626, WAS MADE BY J. RAMSDELL. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (6-0-0).

A MOTION TO APPROVE THE FINDINGS FOR THE PROJECT AT 10 WING TERRACE, DEP #122-626, WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY G. LIMA AND APPROVED (6-0-0).

A MOTION TO ISSUE THE ORDER OF CONDITIONS FOR THE PROJECT AT 10 WING TERRACE, DEP #122-626, WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (6-0-0).

A MOTION TO REQUIRE A $3,500 CASH PERFORMANCE BOND FOR THE PROJECT AT 10 WING TERRACE, DEP #122-626, WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (6-0-0).


Environmental Scientist Mel Higgins of Weston and Sampson and homeowner Nagendra Mishr represented the application.

Mr. Higgins noted he does not have the Mass DEP number yet. He updated the Conservation Commission:
• Added existing and proposed contours
• Riverfront mitigation plan was submitted – remove invasive species (with cut and dab technique) and debris

E. Coleman commented the new site plan is an improvement. She still has concerns about the steps and shed near the wetlands. The proposal to move the shed two feet from stonewall would put it on an awkward slope, which is not ideal. Staff would recommend further from the wetlands on a flat surface. And the proposed steps are inviting people into the wetlands.
Conservation Commission discussed:
- Step construction and shed location
- Post and rail fence along the top of the stonewall
- Construction plan for the steps

A MOTION TO ALLOW STEPS TWO FEET WIDE, WITH CONSTRUCTION DETAIL SENT TO STAFF, WAS MADE BY J. RAMSDELL. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (4-2-0; G. LIMA AND E. LOTURCO OPPOSED).

No one in the audience spoke on this matter.

A MOTION TO CONTINUE THIS MATTER TO THE CONSERVATION COMMISSION MEETING OF JUNE 27, 2019 WAS MADE BY J. RAMSDELL. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

9. Administration
   a. Planning Board comments: None
   b. Subcommittee & Staff Reports: None
   c. Vote to support Open Space & Recreation Plan:
      A MOTION TO SUPPORT THE OPEN SPACE & RECREATION PLAN WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).
   d. Upcoming meetings: June 27, 2019 & July 11, 2019
   e. Other Business:

      Repaving Project on Mill Street

G. Lima noticed some asphalt near Sawmill Brook from this project.

A MOTION TO ADJOURN THE JUNE 13, 2019 CONSERVATION COMMISSION MEETING WAS MADE BY I. DEB AT 8:21 PM. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (6-0-0).

Minutes respectfully submitted by:
Noelle Judd, Recording Clerk