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TOWN OF BURLINGTON
Conservation Commission

MINUTES OF June 28, 2018

Approved July 12, 2018

Members Present: Vice-Chair W. Boivin, J. O’Riorden, E. LoTurco, K. Melanson, I. Deb, G. Lima

Members Absent: Chair L. Cohen

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

1. Call to Order

W. Boivin called the meeting to order at 7:00 pm.

2. Citizens’ Time

No one spoke.

3. Approval of Minutes – June 14, 2018

A MOTION TO APPROVE THE MINUTES FROM THE JUNE 14, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

4a. Request for Certificate of Compliance/Certificate of Completion/Release of Surety – 8 Lucaya Circle – Town of Burlington DPW – DEP #122-570

Assistant Town Engineer Brian White of the Town of Burlington represented this application.

Mr. White explained the project is complete. The consultant and Conservation Commission staff did a walk through, and the feedback was positive. The silt fence was removed and the hay bales were broken down.

J. Keeley had no comments. He reminded the applicant that the inner riparian areas should not be mowed. Mr. White noted the gate box needs to be visible but otherwise it is not their intention to mow that area.

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Conservation Commission had no issues.

No one in the audience spoke on this matter.

A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT 8 LUCAYA CIRCLE, DEP #122-570, WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY K. MELANSON AND APPROVED (6-0-0).

4d. Request for Certificate of Compliance/Certificate of Completion/Release of Surety – 20 Sandy Brook Road – Kirit Shah – DEP #122-584

Homeowner Kirit Shah of 20 Sandy Brook Road represented the application.

Mr. Shah noted he installed a solid fence.

J. Keeley explained since the last meeting staff met with the applicant to determine the correct location for the fence. The applicant put the fence posts in concrete, so the fence is solid. It is a wire fence and won't impede water flow. He suggested issuing a Certificate of Compliance and releasing the surety.

Conservation Commission had no issues.

No one in the audience spoke on this matter.

A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT 20 SANDY BROOK ROAD, DEP #122-584, WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

A MOTION TO RELEASE THE FULL AMOUNT, \$2,500, OF THE PERFORMANCE BOND FOR THE PROJECT AT 20 SANDY BROOK ROAD, DEP #122-584, WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (6-0-0).

5. Discussion – Determination of Applicability – 135 Cambridge Street – EBI Consulting – Modify condition for monitoring well installation

Legal Representative Curt Connors represented the application for EBI Consulting.

I. Deb recused from the discussion and vote.

Mr. Connors noted on March 23, 2017 the Conservation Commission approved borings/wells that would be installed by hand for the purposes of identifying the extent of the contamination from an underground tank. Unfortunately, heavier machinery is needed for the borings/wells. These machines will be wheeled in by hand on planks of wood.

J. Keeley suggested issuing a letter that explained the change to the determination, because there is no formal mechanism to amend the determination. There should be no serious impact to the buffer zone. The letter should specify this is for wells in the buffer zone wells only, not in the resource area.

J. O'Riorden suggested notifying the Mount Hope School administration in regards to their work.

No one in the audience spoke on this matter.

A MOTION TO APPROVE AN INFORMAL CHANGE TO THE CONDITIONAL NEGATIVE DETERMINATION OF APPLICABILITY FOR THE PROPOSED WORK AT 135 CAMBRIDGE STREET WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (4-0-1; I. DEB ABSTAINED).

6. Request for Determination of Applicability (continued) – 126 Lexington Street – Abu S. Soem – Cut down 10-12 trees and build small addition

Abu S. Soem resident of 126 Lexington Street represented the application.

Mr. Soem explained the request to remove some trees next to his house.

J. Keeley noted the Conservation Commission did a site a walk and discussed each tree. It is up to the Conservation Commission to approve which trees will be removed.

Conservation Commission requested:

- Remove the ribbons from the trees that will not be removed
- Remove the fill that was placed on the slope
- Only the group of 5 pines and 1 cherry near the house be removed
- Planting shrubs/small trees native in place of the removed trees

No one in the audience spoke on this matter.

A MOTION TO ISSUE A CONDITIONAL NEGATIVE DETERMINATION OF APPLICABILITY FOR THE PROPOSED WORK AT 126 LEXINGTON STREET WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (6-0-0).

7. Continued Public Hearing – Notice of Intent – 5 Burlington Mall Road – Burlington S&S, LLC – Demolish Sears Auto Center & construct multitenant retail/restaurant building – DEP# 122-607

No testimony was taken on this matter.

This matter was continued to the July 12, 2018 Conservation Commission meeting.

8. Continued Public Hearing – Erosion & Sedimentation Control Permit – 5 Burlington Mall Road – Burlington S&S, LLC – Demolish Sears Garden Center, construct pocket park & make parking lot & sidewalk improvements

No testimony was taken on this matter.

This matter was continued to the July 12, 2018 Conservation Commission meeting.

9. Public Hearing – Notice of Intent – 7 Eastern Avenue – Mohammad Hossain – Construct residential addition – DEP #pending

Homeowner Mohammad Hossain of 7 Eastern Avenue and his engineer, Raouf Mankaryous of

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Alpha Omega Engineering, represented the application.

Mr. Mankaryous explained the applicant approached his neighbor in regards to a land swap, and the neighbor said no. He added they marked the garage and the driveway area to be removed with spray paint. The alternatives analysis was submitted today. Mr. Mankaryous noted the tree roots could be moved rather than cut.

The Conservation Commission was not aware of the markings in the field during the site visit, and they need time to review the alternatives analysis. The test pits had not been done, but the applicant will base their ground water inferences on the soil maps. The Conservation Commission discussed the drainage system.

No one in the audience spoke on this matter.

This matter was continued to the July 12, 2018 Conservation Commission meeting.

10. Administration

a. Planning Board comments: None

b. Subcommittee & Staff Reports:

Master Plan Steering Committee

J. Keeley attended the last meeting. The discussion was about wrapping up the plan with the Steering Committee and putting the plan in the hands of the Planning Board for approval. The implementation committee has not been formed yet.

Open Space and Recreation Plan

J. Keeley explained the committee is made up of members from the Conservation Commission, Recreation Commission, and Planning Board. The committee met with the consultant, and the goal is to finish this process by November 2018.

A MOTION TO APPROVE THE DRAFT MINUTES FROM THE OPEN SPACE AND RECREATION PLAN MEETING (WHEN THE CONSULTANT WAS CHOSEN) WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (2-0-0).

c. Upcoming meetings: July 12, 2018 & August 9, 2018 & September 13, 2018

e. Other Business:

Community Outreach by way of Social Media

W. Boivin gave a positive review of the Conservation Commission social media pages, and suggested direct links to the Instagram/Twitter pages. E. LoTurco noted the coyote in town, and suggested posting it on social media. J. O'Riorden, in an effort to do some community outreach, put together a scavenger hunt for kids to do in the conservation areas over the summer. She suggested posting them on Conservation Commission website and on the Instagram/Twitter pages.

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Fox Hill Nature Trail – Elliot Parsons

Volunteers will gather for the building of the trail on Sunday July 8 at 1pm.

A MOTION TO ADJOURN THE JUNE 28, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY I. DEB AT 7:48 PM. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (6-0-0).

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