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TOWN OF BURLINGTON
Conservation Commission

MINUTES OF September 13, 2018

Approved September 27, 2018

Members Present: Chair L. Cohen, Vice-Chair W. Boivin, J. O’Riorden, E. LoTurco, K. Melanson, I. Deb. 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 – August 9, 2018

A MOTION TO APPROVE THE MINUTES FROM THE AUGUST 9, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (6-0-1; G. LIMA ABSTAINED).

4a. Request for Certificate of Compliance/Release of Surety – 34 Cambridge Street – DEP #122-495 (surety release only)

Property Manager Kenneth Darling of Edens, which owns Burlington Crossroads, represented this application.

J. Keeley explained the Certificate of Compliance was issued a couple of years ago, and the surety was held because the proposed vegetation pruning was not completed. It was done, and the idea was to plant some shrubs further down for shade. The area is so densely vegetated that it doesn’t make sense to do it. The other issue was the Commission was dissatisfied with the upkeep of the area because of the dumping.

Mr. Darling commented Edens is doing bimonthly maintenance, and there are no security cameras across the property.

Conservation Commission had no comment.

No one in the audience spoke on this matter.

A MOTION TO RELEASE THE FULL AMOUNT OF THE PERFORMANCE BOND FOR THE PROJECT AT 34 CAMBRIDGE STREET – DEP #122-495, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (7-0-0).

4b. Request for Certificate of Compliance/Release of Surety – 10 Sunnyside Avenue – Anthony Salamone – DEP #122-592

Anthony Salamone of 10 Sunnyside Avenue represented this application.

J. Keeley noted staff has no issues with this site and recommended full release.

Conservation Commission had no comment.

No one in the audience spoke on this matter.

A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT 10 SUNNYSIDE AVENUE, DEP #122-592, WAS MADE BY K. MELANSON. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (7-0-0)

A MOTION TO RELEASE THE FULL AMOUNT OF THE PERFORMANCE BOND, \$2,500, FOR THE PROJECT AT 10 SUNNYSIDE AVENUE, DEP #122-592, WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (7-0-0).

4c. Request for Certificate of Compliance/Release of Surety – 38 Douglas Avenue – Anthony J. Bagni – DEP #122-400

No one represented this application.

J. Keeley commented this was a new house on a vacant lot, and it has been done for approximately 12 years. There are no outstanding issues, and there was no encroachment beyond the limit of work.

Conservation Commission had no comment.

No one in the audience spoke on this matter.

A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT 38 DOUGLAS AVENUE, DEP #122-400, WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (7-0-0)

This was a paper bond, and it expired, hence the commission will take no action.

5. Request for Determination of Applicability – 25 Blanchard Road (Mary Cummings Park) – The Trustees – Install/replace 3 boardwalks

David Santomenna, Director of Land Conservation for the Trustees of Reservations represented this application.

Mr. Santomenna explained Keurig/Dr. Pepper and their partner 'Keep America Beautiful' have a group of volunteers who want to have a workday at Mary Cummings Park. They will remove the make shift wooden pallets/plywood board walks, and build a proper boardwalk. There is no cutting or clearing proposed.

J. Keeley noted there would be no additional impacts to the wetlands. This will result in an improvement to the area by preventing individuals from compacting the soils and discourage individuals from making new trails.

Conservation Commission commented:

- Boardwalk will be wide enough for bicycles
- Hand tools will be used
- Existing wooden pallets/plywood would be removed from the property
- It will be a sleeper footbridge

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 25 BLANCHARD ROAD (MARY CUMMINGS PARK) WAS MADE BY I.DEB. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (7-0-0).

Update on the future of Mary Cummings Park:

Mr. Santomenna explained that The Trustees have not signed the formal management agreement with the City of Boston, because they are still fund raising. The capital campaign is for \$1 million. L. Cohen offered to post on the Conservation Commission website information on how to donate, and Mr. Santomenna agreed to email staff those details.

6. Continued Public Hearing – Notice of Intent – 10 Carol Avenue – Golden Realty Trust – Demolish existing single-family dwelling and construct new single-family dwelling – DEP #122-611

Engineer Craig Saab of Engineering and Surveying Services represented the application.

Mr. Saab explained the request to demolish the existing the structure and build a new structure with in 64 feet of the wetlands. The roof and driveway will be infiltrated.

E. Coleman noted staff has no issues, and the wetlands should not be impacted by this project.

Conservation Commission commented:

- Ensure the stone trench does not disappear

No one in the audience spoke on this matter.

E. Coleman reviewed the findings and conditions.

A MOTION TO CLOSE THE HEARING FOR THE PROJECT AT 10 CAROL AVENUE, DEP #122-611, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (7-0-0).

A MOTION TO APPROVE THE FINDINGS FOR THE PROJECT AT 10 CAROL AVENUE, DEP #122-611, WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY G. LIMA AND APPROVED (7-0-0).

A MOTION TO ISSUE THE ORDER OF CONDITIONS FOR THE PROJECT AT 10 CAROL AVENUE, DEP #122-611, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY K. MELANSON AND APPROVED (7-0-0).

A MOTION TO REQUIRE A \$2500 PERFORMANCE BOND FOR THE PROJECT AT 10 CAROL AVENUE, DEP #122-611, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY G. LIMA AND APPROVED (7-0-0).

7. Public Hearing – Notice of Intent – 20 Wall Street – The Gutierrez Company – Parking lot full depth reconstruction – DEP # 122-614

Developer Isreal Lopez of the Gutierrez Company and engineer Jennifer Howe of Symmes Maini & McKee Associates represented the application.

Ms. Howe explained the parking lot is in need of repair, and the proposal is for a full depth pavement replacement project. There are three catch basins on site, which are adjacent to Little Brook. This project is within the 200-foot Riverfront Area and the 100-foot buffer. There will be no change to the pavement area. They will add hoods to all the catch basins, and water quality units.

J. Keeley requested the TSS removal table. This is a redevelopment project. He added the applicant applied for a RDA a couple of years ago to remove some pine trees; perhaps there is some room for additional plantings. Staff will review. This is in a critical area Zone 2.

Conservation Commission commented:

- Impervious area 1.2 acres
- Existing pavement will be hauled away
- Catch basin will be inspected and cleaned
- Silt sock will be used
- Mix of granite and bituminous curbing

Conservation Commission requested:

- Ensure all pieces of asphalt are picked up, there are daily inspections of the bank, and a good barrier is set up
- Confirm if the catch basins are four-foot sumps
- Write up in regards of the integrity of the catch basins walls
- Existing maintenance plan (O and M Plan)
- Staff will inform them if there is an issue with the 450i unit

No one in the audience spoke on this matter.

This matter was continued to the September 27, 2018 Conservation Commission meeting.

8. Public Hearing – Notice of Intent – South Bedford Street (Parcel 54-13-0) – Town of Burlington – Install new 8-inch water main – DEP #pending

Town Engineer Thomas Hayes of the Town of Burlington, Engineer William Maher of Nitsch Engineering, and Attorney Robert Buckley of Riemer and Braunstein, LLP represented this application.

Mr. Hayes explained the request to run a water line on an existing utility easement to loop Bedford Street to Cambridge Street. Currently, the water dead-ends at Northeastern, South Bedford has water quality issues, and the Blanchard Road tank is off line. Up sizing the main was not an option for this site, because it would make the problem worse. If the water main is looped, then it is a win-win for the town and applicant.

Mr. Buckley noted this easement could be a pedestrian trail from South Bedford to Cambridge Street.

E. Coleman clarified the 8-inch water line would be separated from the sewer line by 10 feet horizontally. It crosses the bank in two locations. The plan is to excavate, put a box in the trench, lay down the pipe, pull out the trench box, bury the line with sand and back fill. Trees would need to be removed. J. Keeley clarified the excavated material would need to be put to one side, and he noted the limit of work is very narrow (12 feet), perhaps that needs to be widened (easement is 20 feet).

Conservation Commission commented:

- That dead end causes the water to go stale, so the main has to be flushed often, by looping/circulating the water, the water quality improves
- Stream is very erosive; its flashy
 - Should check dams be installed?
- Trench would be 3 feet wide by 5 feet deep

Conservation Commission requested:

- Construction details/materials management plan
- Explore replanting to shade the bank
- Inspect the sewer line while this construction is being done
- Oversight during construction

No one in the audience spoke on this matter.

This matter was continued to the September 27, 2018 Conservation Commission meeting.

9. Public Hearing – Notice of Intent – 5 Murphy Lane – Lexington Trust – Construct new single-family dwelling – DEP # 122-612

Phyllis Etsell and Adam Murray of Murray Hills Inc., wetlands scientist Mary Trudeau, and engineer David Romero of Commonwealth Engineering represented the application.

Ms. Trudeau explained the subdivision was previously approved along with all the associated drainage for the roadway, and driveways. One of the lots is the subject of this hearing with the Conservation Commission. The plan is to construct a single-family home with storm water mitigation for the roof. Test pits have been done. Mr. Romero pointed out the six chambers that mitigate the roof run off.

J. Keeley had no concerns.

Conservation Commission commented:

- Significant clearing and grading is required; replanting will probably be done

No one in the audience spoke on this matter.

This matter was continued to the September 27, 2018 Conservation Commission meeting.

10. Public Hearing – Erosion & Sedimentation Control Permit – 121 Lexington Street – 121 Lexington St. Realty Trust – Demolish existing 3-unit house and construct a new 3-unit residential building

Trustee Joseph Currier of 121 Lexington Street Realty Trust represented the application.

Mr. Currier explained the request to demolish the existing three-family home and construct a new three-family home. He will be disturbing over 20,000 square feet. The storm water management plan went before the Board of Health.

J. Keeley noted this permit covers erosion controls, and post construction storm water.

Questions for the engineer:

- This is within the Zone 2 - there has to be 44% TSS removal prior to infiltration
- Why type C soils, when the test pits looked good
- Roof top be infiltrated separately
- Capturing the driveway run off; pitching to a storm trench

Conservation Commission commented:

- The section 6 finding has not been approved by the Planning Board
- It will be a homeowner association
- Require 1 inch treated because this is within a Zone 2

Conservation Commission requested:

- Designated snow storage area added to the plans
- Erosion controls across the frontage

No one in the audience spoke on this matter.

This matter was continued to the September 27, 2018 Conservation Commission meeting.

11. Continued Public Hearing – Erosion & Sedimentation Control Permit – 98-101 Middlesex Turnpike – Yard House USA, Inc. – Demolish existing restaurant building and construct new restaurant building with associated site improvements

No testimony was taken on this matter.

This matter was continued to the September 27, 2018 Conservation Commission meeting.

12. Administration

- a. Planning Board comments:** 121 Lexington Street
- b. Subcommittee & Staff Reports:**

Open Space and Recreation Plan

Forum is Tuesday, September 25 at 6pm in the MSMS library, and the survey is available at:
<https://www.surveymonkey.com/r/BurlingtonOSRP>

Presentation on Fertilizers and Lawns by the Recreation Department

Wednesday September 26 at 7:30pm at the Human Services Building. It will address the Massachusetts Regulations, and staff agreed to email a copy of the press release to L. Cohen

c. CPA update

L. Cohen is continuing to make presentations to various groups. The next meeting is October 17 at 7pm to the Historical Commission at Grandview Farms. He sent out an inquiry asking if there are any non-governmental organizations that would be interested in the presentation.

d. Upcoming meetings: September 27, 2018 & October 11, 2018

e. Other Business:

Scavenger Hunt Winner – Parson's family

2018 Natural Burlington Photography Contest

J. O'Riorden explained this began September 1, and the deadline to submit is October 23. There is a potential corporate sponsor and the three judges have been secured. The photos will be displayed on November 6 at 7:30pm at the Natural Burlington Photo Exhibit & Awards at Grandview Farm.

A MOTION TO ADJOURN THE SEPTEMBER 13, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY G. LIMA AT 9:09 PM. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (7-0-0).

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