



TOWN OF BURLINGTON

Conservation Commission

MINUTES OF January 25, 2018

Approved February 22, 2018

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

Members Absent: Chair L. Cohen, K. Melanson, A. McNamara

Also Present: Assistant Commissioner J. O’Riorden, 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 – January 11, 2018

A MOTION TO APPROVE THE MINUTES FROM THE JANUARY 11, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY G. LIMA AND APPROVED (3-0-1; G. LIMA ABSTAINED).

Items ‘4.a’ and ‘4.b’ were taken together for discussion purposes.

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

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 inspected the roadway, and the rain garden. He recommended issuing the certificate and releasing the full amount of the bond.

There was no one in the audience for the project.

January 25, 2018

A MOTION TO ISSUE THE CERTIFICATE OF COMPLIANCE FOR PROJECT AT FANTASIA LANE (ROADWAY), DEP #122-500, WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (4-0-0).

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

J. Keeley inspected the site and recommended releasing the remaining amount of the bond. And suggested the applicant remove the remaining silt fence.

There was no one in the audience for the project.

A MOTION TO RELEASE THE REMAINING \$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 (4-0-0).

5a. 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 February 8, 2018 Conservation Commission meeting.

6. Public Hearing – Erosion & Sedimentation Control Permit – 50 South Avenue – Eddie V's Holdings, LLC – Demolish existing restaurant building and construct new restaurant building with associated parking & utilities

Attorney William Proia of Riemer & Braunstein, LLP, and engineer James Decoulos of Decoulos + Company, LLC represented this application.

Mr. Decoulos explained this is a redevelopment project, and the storm water basin is not jurisdictional as determined at the September 14, 2017 Conservation Commission meeting. There is pollution in the area that is being remediated hence there will be a storm water detention system on site, then it will be discharged to minimize off site impacts. The applicant is working with the Board of Health.

J. Keeley noted there is no additional impervious area, and there is a reduction of paved area because the building is larger and less parking. He requested:

- Clarification on use of the existing basin for sedimentation control during construction
- Re-grading will cause more water to go toward Middlesex Turnpike rather than South Avenue, hence peak run off rates for the 10 year storm should be reduced
- There is scouring near Long's Jewelry, 60 South Avenue, indicating there is high velocity water flow, so it is not recommended to increase run off rates there
- Significant vegetation removal is proposed near the basin, which is allowed, but Vine Brook is impaired for bacteria, and the site is in a critical area zone 2, hence staff recommends replacing the removed vegetation

Conservation Commission discussed:

- Water treatment design – existing stormceptors are staying and being relocated
- Porte cochere is a solid roof
- Existing bedrock well will remain
- Perimeter drain is to pick up groundwater for the foundation
- Collect water from the roof for irrigation

Conservation Commission requested:

- Estimated amount of water and where its coming from into the catch basins
- Building sequence plan, and controls during that process
- Reduce water outflow numbers
- Hand borings to confirm the lining of the basin is sufficient to prevent subsurface infiltration
- Status of the outflow pipe (not indicated on the plans) along Middlesex Turnpike
- Extent of the roof
- Revised planting plan to remove items with 0 quantities
- Are the lilacs sterile on the planting plan?

No testimony was taken on this matter.

This hearing was continued to the February 8, 2018 Conservation Commission meeting.

7. 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 February 8, 2018 Conservation Commission meeting.

8. Administration

a. Planning Board comments: None

b. Subcommittee & Staff Reports:

- MACC Annual Meeting

Any members that want to attend this meeting contact the Conservation office for enrollment in the next few days.

c. Upcoming meetings: February 8, 2018 & February 22, 2018

e. Other Business:

Public Land Preservation Act

Draft letter to senator Cindy Freeman asking her to support and move this bill along was distributed to the members. The act covers Article 97 lands, and codifies the currently existing policies. W. Boivin will revise the letter to include some Burlington specific comments.

Conservation Commission Meeting
January 25, 2018

4

A MOTION TO SEND THE LETTER AS REVISED BY W. BOIVIN TO CINDY FREEMAN ENDORSING THE LAND PRESERVATION ACT WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (4-0-0).

A MOTION TO ADJOURN THE JANUARY 25, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY I. DEB AT 7:45 PM. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (4-0-0).

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