



# TOWN OF BURLINGTON

## *Conservation Commission*

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### **MINUTES OF March 22, 2018**

*Approved April 26, 2018*

**Members Present:** Chair L. Cohen, Vice-Chair W. Boivin, E. LoTurco, K. Melanson, G. Lima

**Members Absent:** I. Deb

**Also Present:** Assistant Commissioner J. O’Riorden, Conservation Administrator J. Keeley, Assistant Conservation Administrator E. Coleman

#### **1. Call to Order**

L. Cohen called the meeting to order at 7:02 pm.

#### **2. Citizens’ Time**

No one spoke.

#### **3. Approval of Minutes – March 8, 2018**

A MOTION TO APPROVE THE MINUTES FROM THE MARCH 8, 2018 CONSERVATION COMMISSION MEETING AS AMENDED WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (4-0-1; G. LIMA ABSTAINED).

#### **4. Request for Determination of Applicability – 14 Sarah Street – Rakesh Goel – Clear, grade & landscape in association with teardown/re-build**

Rakesh Goel of 14 Sarah Street represented this application.

Mr. Goel explained that the demolition of the existing home has been done. The request is to remove all the trees behind the home because they are dead or hazardous. Many fell in the last storm. Mr. Goel did hire a wetland scientist to assist with the application. There is a large tree in the wetlands that should be removed. He also wants to re-grade the lot.

E. Coleman commented that the house is 100 feet from the wetlands, and the trees being removed are close to the wetlands. The wetland scientist noted these are in poor health. J. Keeley noted the wetlands have been flagged but cannot be reviewed because of the snow coverage. The 20-foot no disturb delineation could wait, or a conservative estimate at 25 feet

could be done now.

Mr. Goel agreed to the 25 feet.

Conservation Commission commented:

- Evaluate each tree being removed to see if some could be saved
  - No tree cutting in the no disturb area
- Clarification on the grading and fill
- Snags should be left behind for wildlife value

There was no one in the audience for this matter.

E. Coleman reviewed the findings and conditions

A MOTION TO ISSUE A CONDITIONAL NEGATIVE DETERMINATION OF APPLICABILITY FOR THE PROPOSED WORK AT 14 SARAH STREET WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY E. LOTURCO AND APPROVED (5-0-0).

**5. Public Hearing – Notice of Intent – 28 Alma Road – John Mackinnon – Construction residential addition, install in-ground pool & landscape – DEP #pending**

John Mackinnon of 28 Alma Road and his architect represented this application.

Architect explained the request for an addition on the home, and the installation of a pool. There is a drainage easement and wetlands. Grading will be done between 40-foot and 20-foot lines, and the playground will be removed. The shed is staying, there are no changes to the driveway, and the pool deck does not require a permit. The applicant agreed to not back flush into the wetlands.

J. Keeley cannot validate the wetlands boundary. Based on past filings in this area this is BWV. Addition is far from the driveway so rooftop run off is not a concern.

Conservation Commission had no requests for the applicant.

J. Keeley noted this application does not have a DEP file number and needs to be continued to the next meeting.

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

**6. Continued Public Hearing – Erosion & Sedimentation Control Permit – Patricia Way (off Taylor Avenue) – Murray Hills, Inc. – Construct five-lot subdivision**

Phyllis Etsell and Adam Murray of Murray Hills Inc. represented this application.

Ms. Etsell noted that at the Planning Board meeting the roadway was approved at 24 feet and the sidewalk would only be built on one side. Also the roadway was shifted slightly to allow for a 5-foot grass strip between the concrete sidewalk and the curbing. The hay bale line would be extended as well.

J. Keeley had no issues.

Conservation Commission had no comments.

No one in the audience spoke on this matter.

E. Coleman reviewed the findings and conditions. Applicant will need to submit drawings that reflect changes agreed with the Planning Board before Erosion and Sediment Control permit can be issued.

A MOTION TO CLOSE THE HEARING FOR THE PROJECT AT PATRICIA WAY (OFF TAYLOR AVENUE) WAS MADE BY G. LIMA. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (5-0-0).

A MOTION TO ISSUE THE SEDIMENTATION AND EROSION CONTROL PERMIT FOR THE PROJECT AT PATRICIA WAY (OFF TAYLOR AVENUE) WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY G. LIMA AND APPROVED (5-0-0).

A MOTION TO REQUIRE A \$10,000 PERFORMANCE BOND FOR THE PROJECT AT PATRICIA WAY (OFF TAYLOR AVENUE) WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY K. MELANSON AND APPROVED (5-0-0).

**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 matter was continued to the April 12, 2018 Conservation Commission meeting.*

**8. Continued Public Hearing – Notice of Intent – 141-151 Bedford Street – Northeastern University – Construct new drainage system, utilities, parking, landscaping & driveway associate with new 35,000 sq. ft. (footprint) building – DEP #122-605**

No testimony was taken on this matter.

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

**9. Administration**

**a. Planning Board comments: None**

**b. Subcommittee & Staff Reports:**

Open Space and Recreation Plan

J. Keeley noted one proposal was received, and the subcommittee reviewed it along with the P & R Director Egan and Recreation Commissioner Brown. Members were satisfied with the quality of the proposal, but it is over the approved funding by about \$4,000. The subcommittee must decide whether to do some tasks in house, or put it back out to bid.

**c. Upcoming meetings: April 12, 2018 & April 26, 2018**

**e. Other Business:**

Community Preservation Act

L. Cohen noted in the Master Plan the Conservation Commission is the lead government agency to bring the Community Preservation Act before town meeting and ultimately onto the ballot. Chairman Hartling of the Board of Selectmen requested a representative of the Conservation Commission to present the Community Preservation Act to the community.

A MOTION TO SUPPORT THE SUMMARY WRITTEN AND PRESENTATION TO THE COMMUNITY ABOUT THE COMMUNITY PRESERVATION ACT WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY G. LIMA AND APPROVED (5-0-0).

A MOTION TO ADJOURN THE MARCH 22, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY K. MELANSON AT 8:12 PM. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (5-0-0).

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