



**TOWN OF BURLINGTON**  
*Conservation Commission*

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**MINUTES OF May 24, 2018**

*Approved June 14, 2018*

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

**Members Absent:** 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 – May 10, 2018**

*This matter was continued to the June 14, 2018 Conservation Commission meeting.*

**4. Request for Certificate of Compliance – 186 Middlesex Turnpike – LFT Real Estate Company – DEP # 122-574**

No testimony was taken on this matter.

*This matter was continued to the June 14, 2018 Conservation Commission meeting.*

**5. Request for Extension to Order of Conditions – Town-wide stream cleaning – Town of Burlington DPW/Engineering – DEP #122-394**

Engineer Anthony Reppucci and intern Megan Cavalier of the Town of Burlington DPW represented this application.

Ms. Cavalier explained the request is to do the stream cleaning behind Daniel Drive, and it will be approximately 900 feet.

J. Keeley noted the stream behind Daniel Drive is a direct tributary to Vine Brook. This permit has been in existence since 2005. It has worked out well, and the town no longer uses sand, so this may no longer be needed sometime in the future. The sand from the stream will be stock piled at the Clark and Reid site.

No one in the audience spoke on this matter.

A MOTION TO EXTEND THE ORDER OF CONDITIONS FOR THE TOWN-WIDE STREAM CLEANING, DEP # 122-394, WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY W. BOIVIN AND APPROVED (6-0-0).

**6. Request for Determination of Applicability – 126 Lexington Street – Abu S. Some – Cut down 10-12 trees and build small addition**

No testimony was taken on this matter.

*This matter was continued to the June 14, 2018 Conservation Commission meeting.*

**7. Public Hearing – Notice of Intent – 4 Paige Road – VC Detailed Properties, LLC – Construct residential addition – DEP #pending**

Wetlands scientist Bill Manual of Wetlands Land Management, and contractor/property owner Joe Ferrera represented the application.

Mr. Manual flagged the wetlands. There is a freestanding pool deck at the edge of property, which the applicant would like to keep. The request is to add a garage with a family room over it and an associated deck. Also remove the second floor, and construct a full second floor. The house is currently within the 40-foot no-build zone. There will be erosion controls around the limit of work, which will be staked mulch socks. And there is a dead tree that is hanging over the house, and the applicant would like to remove it.

J. Keeley noted there was historical disturbance to the wetlands, likely because of the former pool. He requested mitigation for run off (driveway/roof top), foundation drain discharge point, and demarcation/vegetation for the altered wetlands.

Conservation Commission commented:

- Post and rail fence along the wetlands
  - Applicant doesn't want a fence because it tightens the site, and suggested cement markers
- Ensure the materials dug up won't be used to re-grade the site
- Requested hay bales and silt fence for erosion controls
- Gutters/down spouts or stone trench for run off
- Removing the sand where the pool used to be and restoring that area
- Demarcation with signage and plantings

No one in the audience spoke on this matter.

May 24, 2018

*This matter was continued to the June 14, 2018 Conservation Commission meeting.*

*Items 8 and 9 were taken together for discussion purposes.*

**8. 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**

**9. 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**

Attorney Mark Vaughan of Riemer & Braunstein; engineer Conor Nagle of Vanasse Hangen Brustlin, Inc.; and civil engineer Chuck Schneider of Simon represented the application.

Mr. Nagle explained the changes since the last meeting:

- Upgrade the storm water system in the parking lot adjacent to the former Sears building
- Improvement to the river front area by planting habitat enhancing plants

J. Keeley commented that he concurred that removing the invasive species would make the river front area slope unstable. Currently the catch basins in the former Sears parking lot are providing no treatment, and proposed improvement will do 25% treatment. He recommended doing some infiltration on site.

Conservation Commission commented:

- Requested adding trash pick up to the Operations and Maintenance Plan
- Suggested an LID feature for the pocket park
- Requested increasing TSS removal using *Stormceptors* or other method

J. Keeley noted that if Planning Board requires a sidewalk along Burlington Mall Road, the applicant would need to submit an amendment.

No one in the audience spoke on this matter.

*This matter was continued to the June 14, 2018 Conservation Commission meeting.*

**10. Discussion – 60 Blanchard Road – dataCon – Proposed drainage maintenance work**  
Representative for dataCon was present for the application.

The representative explained there is flooding across the driveway, which causes a dangerous patch of ice in the winter. He is requesting clearing out the drainage swale, and cutting the brush back to where the driveway exists. The work will be done with hand tools.

J. Keeley noted it is clearly man made, and it goes through culverts. Part of it was flagged as wetlands during a previous application process. He recommended the commission allow this, because water flowing over pavement is worse. The commission needs to decide whether the applicant should go through the RDA process or approve the work with a letter that includes conditions.

The Conservation Commission agreed to allow the work with letter.

No one in the audience spoke on this matter.

## **11. Administration**

- a. Planning Board comments: None**
- b. Subcommittee & Staff Reports:**

Open Space and Recreation Plan

J. Keeley has received feed back in regards to a representative from the Recreation Commission but has not received a response from Planning Board. And the representative for Conservation Commission is J. O'Riorden.

- c. Upcoming meetings: June 14, 2018 & June 28, 2018**
- e. Other Business:**

Bird Walk

J. Keely announced there is a bird walk at Mill Pond on June 9 at 7am.

Community Preservation Act

W. Boivin explained he watched L. Cohen's CPA presentation to the Board of Selectman. He suggested emphasizing that Burlington puts money into the Real Estate Transaction Fund that we don't get back, and it gets distributed to other communities. The CPA will allow Burlington to get some of that back. Also, he suggested L. Cohen note the Town Meeting items that could have been funded by the CPA, such as fitness equipment at the parks.

L. Cohen noted on Monday, June 11 the CPA will be presented to the Recreation Commission.

Sandy Brook flooding

L. Cohen spoke about the meeting between staff and himself in regards to the anecdotal accounts from residences about flooding in the Sandy Brook area. There was speculation, but they don't know the cause. The group agreed to create a Scope of Work for a person who specializes in fluvial geomorphology.

Summer Schedule

A MOTION TO CANCEL THE CONSERVATION COMMISSION MEETINGS OF JULY 26, 2018 AND AUGUST 23, 2018 WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

A MOTION TO ADJOURN THE MAY 24, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY W. BOIVIN AT 8:32 PM. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

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