



TOWN OF BURLINGTON

Conservation Commission

MINUTES OF August 9, 2018 *Approved September 13, 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 – July 12, 2018

A MOTION TO APPROVE THE MINUTES FROM THE JULY 12, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY J. O’RIORDEN AND APPROVED (6-0-0).

4. Request for Extension to Order of Conditions – 43 & 63 South Avenue – DEP #439 Developer Scott Weiss of the Gutierrez Company represented this application.

Mr. Weiss explained that 2 of the 3 buildings were constructed and the Conservation Commission issued a partial Certificate of Compliance. The purpose of extending the order of conditions is to advertise this property as shovel-ready for a prospective tenant.

J. Keeley noted staff has no issues with this site.

Conservation Commission had no comment.

No one in the audience spoke on this matter.

A MOTION TO EXTEND THE ORDER OF CONDITIONS FOR THREE YEARS AT 43 & 63 SOUTH AVENUE, DEP #122-439, WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

5. Public Hearing – Notice of Intent – 10 Carol Avenue – Golden Realty Trust – Demolish existing single-family dwelling and construct new single-family dwelling – DEP #pending
Engineer Craig Saab of Engineering and Surveying Services represented the application.

Mr. Saab explained the request to demolish the existing home and build a new one. The new home will have a drainage system for the driveway, a roof drainage system, and removal of the concrete pad that is 29 feet from the wetlands and the shed. Overall there is a reduction of impervious area by 100 square feet, and the home will be 60 feet from the wetlands.

E. Coleman noted the wetlands were not checked, because they are off site. Staff asked the Conservation Commission: Should the wetlands on the adjacent lot be checked or should the wetlands be informally approved? The Conservation Commission agreed not to make a finding on the wetlands delineation.

Conservation Commission requested the storm trench on the plan be maintained. Test pits were not done, but the surveys say the soils should be suitable for what is proposed, and some of the grading will be changed slightly on site.

No one in the audience spoke on this matter.

This matter was continued to the September 13, 2018 Conservation Commission meeting.

6. Continued Public Hearing – Erosion & Sedimentation Control Permit – 5 Burlington Mall Road – Burlington S&S, LLC – Demolish Sears Garden Center, construct pocket park, install stormwater management improvements
Engineer Conor Nagel of VHB represented the application.

Mr. Nagel noted there have been no changes since the last meeting.

Staff had no issues, and the Conservation Commission had no comments.

No one in the audience spoke on this matter.

J. Keeley reviewed the findings and conditions.

A MOTION TO CLOSE THE HEARING FOR THE PROJECT AT 5 BURLINGTON MALL ROAD WAS MADE BY E. LOTURCO. THE MOTION WAS SECONDED BY I. DEB AND APPROVED (6-0-0).

A MOTION TO ISSUE THE SEDIMENTATION AND EROSION CONTROL PERMIT FOR THE PROJECT AT 5 BURLINGTON MALL ROAD WAS MADE BY W. BOIVIN. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (6-0-0).

A MOTION TO REQUIRE A \$10,000 PERFORMANCE BOND FOR THE PROJECT AT 5 BURLINGTON MALL ROAD WAS MADE BY I. DEB. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (6-0-0)

7. Public Hearing – Erosion & Sedimentation Control Permit – 98-108 Middlesex Turnpike – Yard House USA, Inc. – Demolish existing restaurant building and construct new restaurant building with associated site improvements

Attorney Bill Proia of Riemer & Braunstein, LLP, and engineer Randy Miron of Bohler Engineering represented the application.

Mr. Proia stated the request is to remove the existing Chili's building and construct a new restaurant building for Yard House. Mr. Miron explained the site plans, noting: 3,500 square feet reduction of impervious area by increasing the landscape area along Middlesex Turnpike, decreasing stormwater run off rates and volumes, and improving stormwater quality by adding a couple of infiltration basins. The request to infiltrate the roof run off, made at the staff meeting, will be incorporated into the plans. Also, an LSP has confirmed it is okay to do infiltration on this site.

J. Keeley noted the 'stormwater requirements' must be amended. Staff has not checked the TSS removal numbers.

Conservation Commission discussed:

- How the proposed stormwater system would work
- Grading is being changed by about a foot to comply with ADA
- Water to the left of building would sheet flow to the street

Conservation Commission requested:

- Capture the water flowing on the left side of the building by working with Barns & Noble
- What size storm are the basins sized for
- Move the discharge point closer to the rip rap
- Justification for TSS removal numbers
- Investigate micro-grading to eliminate second curb break
- Amount of water the detention system could handle

No one in the audience spoke on this matter.

This matter was continued to the September 13, 2018 Conservation Commission meeting.

8. Administration

a. Planning Board comments: None

b. Subcommittee & Staff Reports:

Open Space & Recreation Plan

Another meeting occurred on July 25 and a survey will go out in August. A public session will be held September 25, 2018.

Community Preservation Act

L. Cohen apprised those present that a meeting occurred at the Burlington Housing Authority. The state house wrapped up their session, and a proposal to raise the recording fees, which would better fund the Community Preservation Act, could be presented at the next session.

c. Upcoming meetings: September 13, 2018 & September 27, 2018

e. Other Business:

Public Land Preservation Act

The act would have covered Article 97 lands, and codified the currently existing policies, but the state house did not include it.

Nature Photography Contest

J. O'Riorden noted the library is willing to host a nature photography contest, and she will have more details on this in the future.

A MOTION TO ADJOURN THE JULY 9, 2018 CONSERVATION COMMISSION MEETING WAS MADE BY I. Deb AT 8:13 PM. THE MOTION WAS SECONDED BY J. O'RIORDEN AND APPROVED (6-0-0).

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