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# TOWN OF BURLINGTON

## Meeting Minutes

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Minutes need to be posted within 30 days or 2 meetings of the board – Draft minutes can be posted and revised at a later date

DEPT./BOARD: Conservation Commission

DATE: January 23, 2020

TIME: 7:00 PM

PLACE: Town Hall Main Hearing Room

MEMBERS IN ATTENDANCE: Chair Larry L. Cohen, Vice Chair William Boivin, Jennifer O’Riorden,  
John Ramsdell, Indra Deb and Gail Lima

Conservation Administrator John Keeley and Assistant Conservation Administrator Eileen Coleman were present.

### 1. Call to Order

Mr. Cohen called the meeting to order at 7:01 PM.

Mr. Cohen stated that agenda item #6 - 108 Muller Road will be continued to the March 12, 2020 meeting at the request of the applicant. Agenda item #7 – 127 Bedford Street will be continued to the February 27, 2020 meeting at the request of the applicant.

### 2. Citizens' Time

No one came forward to speak.

### 3. Approval of Minutes – January 9, 2020

**MOTION** - Mr. Ramsdell made a motion to approve the Conservation Commission minutes of January 9, 2020 as submitted. The motion was seconded by Mr. Boivin and voted 4-0-2.

### 4. Request for Determination of Applicability (RDA)

#### 4a. 25 Blanchard Road (Mary Cummings Park) – Trail Improvements, Including Installing Trail Bridge and Performing Soil Borings – The Trustees

Josh Hasenfus, Project Manager for the Trustees appeared for the Request for Determination of Applicability for 25 Blanchard Road. They are proposing creating a boardwalk and they need to perform soil borings. They will access the area through the gate at Flyers Field. They will use timber bridge crossing to get the equipment up to the gas line easement and they will use mats for the equipment to travel on. All work will be temporary except for the clearing that will be required for the new boardwalk installation. They hope to start the project by early April and everything will be restored to existing conditions after construction.

Mr. Keeley stated that there have been multiple site walks and there will be wattles across the slope to the bottom of Flyers Field and that erosion controls must be installed prior to construction. Mr. Keeley asked how far out into the marsh will the borings be done. Mr. Hasenfus stated that they will go out as far as they can.





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The Conservation Commission discussed/questioned:

- How long will the construction project take?
- There is concern with the trailers for the equipment being brought in and having that equipment leave mud on the road.
- Why are borings necessary?
- What will happen to the material taken out during the boring tests?

The applicant offered the following responses:

- The site prep will take about 2-3 days and the actual boring will take an additional 2 days.
- The truck supporting the boring machine will stay on the upper bank but if there is any dirt they will clean the street.
- The borings are required to look at the soils that are present for the sizing of the helical piers.
- The material will be used to backfill the test pit holes.

*John Sachs from Friends of Mary Cummings Park* – Mr. Sachs asked how will the applicant get access to the field and won't equipment impact the field. Mr. Hasenfus stated that the equipment will impact the field but they will restore any impacts once the project is completed.

**MOTION** - Mr. Ramsdell made a motion to issue a negative conditional determination of applicability under the Burlington Bylaw Article 14 and the State Wetlands Protection Act for 25 Blanchard Road with the additional condition that the road must be clean and swept if dirt comes off equipment. The motion was seconded by Ms. O'Riorden and unanimously voted 6-0-0.

**5. Public Hearing – Notice of Intent – 25 Blanchard Road (Mary Cummings Park) – The Trustees – Construct a New Boardwalk and Improve/Relocate Existing Trails – DEP #Pending**

Richard Kirby from LEC Environmental Consulting, Josh Hasenfus and Jeremy Dick from the Trustees appeared for the Notice of Intent at 25 Blanchard Road. Mr. Kirby stated that this project is to replace the existing boardwalk with new ADA accessible boardwalks. A site visit was conducted yesterday with staff and some Commission members. The project will consist of constructing 4' wide boardwalks with timber curbing and creating walking paths. There have been intermittent streams documented and they have rerouted walking paths around them. There are a few areas that they could not reroute and in those areas they will have stepping stones. They are also proposing a wetlands replication area. The footbridge will have approximately 317 SF of permanent alteration and 250 SF of temporary alteration. At the corners of the footbridge, the elevation will be lowered about 1' and replaced with about 1' of wetland soil and they will add seed mix. They will use straw wattles where necessary. There will be 250 linear feet of boardwalk with a viewing platform at the end. The total disturbance for the project will be 840 SF of temporary alteration and 1,275 SF of permanent alteration. The proposed replication area is 2816 SF. Mr. Dick stated that they will also add plantings around the parking lot.

Mr. Keeley stated that they have walked the site several times and they have tweaked the plans in a couple of areas to adjust for the streams. The wetlands delineation is generally pretty accurate but they did not 100% confirm the flagging due to the time of year.





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The Conservation Commission discussed/questioned:

- Will there only be plantings in the replication area?
- During the site walk, there was discussion about relocating part of the trail close the stone wall but that is not shown on the plan.
- Will there be temporary tree protection installed during construction?
- Why is a new parking lot being constructed?
- Is the wetland shown an isolated wetland? Even if it is isolated, it is over 500 sf so it falls under our jurisdiction.
- Will any of the work interfere with flowing water?
- Explain the replication process and there should be oversight during construction especially in the replication area.
- Will the stepping stones be a problem in the gas easement?

The applicant offered the following responses:

- The areas adjacent to the walkway will be restored with plantings.
- The stone wall is outside of the jurisdiction so it was not shown on the plans.
- Temporary tree protection will be installed.
- The existing parking lot is managed by the Town of Burlington and the Trustees want to control access to the Mary Cummings Park.
- Mass GIS shows the wetland as isolated.
- None of the work being performed will block flowing water.
- There is a slope and they will follow the grade down topography. There will be a lot of trips with small equipment such as a mini excavator with tracks to haul the soil to a dump truck. They will keep some of the soil to fill in the stump holes in the pollinating meadow. The excavator will go up the path to the easement and up to Flyers Field. There will be impacts to the field but they will be restored once completed. They will have mats down in the area of construction. They will have a pre-construction meeting with a proposed plan of action. The replication could be done to as a 1 to 1 replication area as long as it is constructed properly it should work properly. There is also a 2 year monitoring requirement to make sure the replication area is functioning properly.
- Stepping stones are not an issue because they are not a structure.

Mr. Keeley stated that the replication of the wetlands is at a 2 to 1 ratio as required by the bylaw but since this project does not fill in wetlands, only alters them, then the Commission could loosen up the 2 to 1 replication requirement and perhaps go to a 1 to 1 replication. Mr. Keeley stated that the project is disturbing over 10,000 SF so it also falls under the Commission's purview due to the storm water management regulations.





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*John Sachs from Friends of Mary Cummings Park* – Mr. Sachs stated that there is a crossing of the gas line and asked if the gas company has been notified. Mr. Hasenfus stated that they have spoken with the engineers from the gas company and they are very willing to work with us on this project. Their only concern is the ground pressure from the equipment on the line. They will provide them with an equipment list and have a site visit before construction. There is only temporary disturbance on the gas line easement.

Mr. Keeley stated that if the Commission decides to grant the 1 to 1 replication then new plans will be needed. Mr. Deb questioned if the replication could be 1.5 to 1 ratio. Mr. Cohen stated that he would recommend a 1 to 1 replication due to the additional amount of excavation that would be required due to the elevation. In a 1 to 1 replication it would require 2' - 4' of soil removed but in a 1.5 to 1 replication it could require 6' - 7' of soil to be removed.

**MOTION** - Mr. Boivin made a motion to waive the requirement for a 2 to 1 wetlands replication of the Burlington Bylaw Article 14 since the change to a 1 to 1 replication will have a less of an impact to the wetlands. The motion was seconded by Mr. Deb and unanimously voted 6-0-0.

**MOTION** - Ms. Lima made a motion to allow the alteration of the requirement for the wetlands replication area from a 2 to 1 to a 1 to 1 replication area. The motion was seconded by Ms. O'Riorden and unanimously voted 6-0-0.

This agenda item will be continued until the February 13, 2020 meeting.

**6. Continued Public Hearing – Notice of Intent – New Lot Subdivided from 108 Muller Road – Mark A. Petro – Construct New Single-Family Residence – DEP #122-638**

Mr. Cohen stated that this item will be continued until March 12, 2020.

**7. Public Hearing – Notice of Intent – 127 Bedford Street – Kong K. Taing & Vanden Lay – Grading, Landscaping, Driveway Extension, Buffer Zone Restoration – DEP #**

Mr. Cohen stated that this item will be continued until February 27, 2020

**8. Administration**

**8a. Planning Board Comments**

Mr. Keeley will forward the discussion for 25 Blanchard Road to the Planning Board.

**8b. Subcommittee, Staff Reports and Updates**

There were no reports or updates.

**8c. Upcoming Meetings – February 13, 2020 and February 27, 2020**

**8d. Other Business**

Mr. Cohen stated that the CPA Citizens committee will be formulating an article for the May Town Meeting and hopefully a ballot question in November 2020.

**9. Adjournment**

**MOTION** - Ms. Lima made a motion to adjourn the January 23, 2020 Conservation Commission meeting at 8:05 PM. The motion was seconded by Mr. Deb and unanimously voted 6-0-0.





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*Respectfully Submitted by Dawn Cathcart,  
Recording Clerk*

