



**RECEIVED**

By Town Clerk's Office at 10:55 am, Nov 13, 2023

**TOWN OF BURLINGTON**  
*Conservation Commission Meeting Minutes*

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DEPT. /BOARD: Conservation Commission

DATE: 10/12/2023

TIME: 6:30 PM

PLACE: 29 Center Street – Town Hall – 2nd Floor Main Hearing Room

**Member(s) in attendance:** Bill Boivin, Indra Deb, Rob Sheahan, Ed LoTurco, Kent Moffatt

**Member(s) absent:** Sarah Wollinski, Larry Cohen

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

THE MEETING WAS BROADCAST LIVE ON THE BCAT GOVERNMENT CHANNEL

*Approved at the November 9, 2023 Conservation Commission meeting*

**1. Call Meeting to Order – Roll call of attendance**

Mr. Boivin called the meeting to order at 6:30 PM and read a statement about public participation and technology. On a roll call, Bill Boivin, Ed LoTurco, Rob Sheahan, and Indra Deb indicated they were present.

**2. Public Comments**

There were no comments from the audience regarding items not on the agenda.

**3. Approval of Minutes**

a. September 14, 2023

**MOTION-** To approve the Minutes from the September 14, 2023 meeting. The Motion was passed unanimously by a vote of 4-0-0.

b. September 28, 2023

The Minutes from the 9/28 meeting were not yet available so no Motion was made.



# TOWN OF BURLINGTON

## *Conservation Commission Meeting Minutes*

---

### **4. Request for Certificate of Compliance**

a. 2 Terrace Hall Avenue – Debra Goldberg – DEP #122-659

Ms. Coleman briefly summarized the project as having followed all agreed upon guidelines and did not require the removal of any trees. There is a \$3,500 surety which Ms. Coleman believed should be returned.

**MOTION-** To approve the request for Certificate of Compliance for the project at 2 Terrace Hall Avenue DEP #122-659. The Motion was passed unanimously by a vote of 4-0-0.

**MOTION-** To release the surety for the project at 2 Terrace Hall Avenue DEP #122-659. The Motion was passed unanimously by a vote of 4-0-0.

b. 24 Hart Street – Debra Goldberg – DEP #122-660

Ms. Coleman described the project as a tear down rebuild in the buffer zone to bordering vegetated wetlands with no streams involved. There were several trees taken out and replaced including two that appear to be dead so they shall be replaced. She did not have any additional concerns about the project and recommended the Certificate of Compliance be approved.

\*At this time Mr. Moffatt joined the meeting in person, thus all following Motions will have 5 votes.\*

**MOTION-** To approve Certificate of Compliance for the project at 24 Hart Street DEP#122-660. The Motion was passed unanimously by a vote of 5-0-0.

**MOTION-** To release \$3,500 surety be returned upon the installation of replacement trees for the two dead ones. The Motion was passed unanimously by a vote of 5-0-0.

### **5. Request for Determination of Applicability**

a. 80 Blanchard Road – John Garrett – Install EV chargers

Mr. John Garrett, Vice President of Electric Vehicle Services for Maverick Construction was present and briefly summarized the project as EV charger installation which would have minimal impact on the resource area in the vicinity. The project would require a trench and the installation of a generator, Ms. Coleman had no concerns about the project's impact on the surrounding land.



# TOWN OF BURLINGTON

## *Conservation Commission Meeting Minutes*

---

The project only calls for the installation of two charging stations but as many as 10 total stations can be installed should the need arise.

Ms. Coleman read the draft conditions which included the barring of sediment tracking as well as all water to be discharged shall do so onto a permeable surface. Conditions also barred the cutting of trees and mandated that any stockpiles be covered.

**MOTION-** To approve the Request for Determination of Applicability for the project at 80 Blanchard Road. The Motion was passed unanimously by a vote of 5-0-0.

### **6. Continued Public Hearing – Abbreviated Notice of Resource Area Delineation – 252 Fox Hill Road – Town of Burlington – Resource area boundary confirmation – DEP #122-692**

Present in the meeting were Ms. Amy Ball, Senior Associate with Horsley Witten Group, Ms. Donna DiNesco, President of DiNesco Design, Dr. Eric Conti, Superintendent of Burlington Public Schools, and Steve Brown, Project Manager.

Ms. Ball gave a brief overview of the project and described the area as school property with parking lots, two access driveways, playground and grass area surrounded by wooded forest.

Pointing out that delineation occurred before leaf out Mr. Boivin asked how a wetland can be delineated when there is not yet vegetation growing. Ms. Ball cited soil type, hydrology and plant life as factors which can be used to determine a wetland boundary. Specifically citing plant-based evidence she continued to state that branch structure, twigs, and buds display characteristics that show a plant being in a wetland area.

Mr. Boivin asked if the excess rainfall during this past summer would affect the boundaries of the wetland. Ms. Ball informed him that most of the wetlands at this particular site are groundwater supported with minimal runoff from parking lots in one of the wetland areas.

### **7. Public Hearing – Notice of Intent – 29 Gedick Road – GRH Homes, LLC – Demolish**

Mr. Steven Dresser, Civil Engineer, and Greg Hickox of GRH homes were present for the meeting. Mr. Dresser explained the project as a tear down and rebuild of a single family home on Gedick Road which will occur within 100' of vegetated wetlands and also the riverfront area of a regulated stream.

The proposed house is set to be beyond the minimum front setback and the rear of the house is planned to be 100' from the edge of the BVW and the streambank as delineated by Norse Environmental. All stormwater runoff is recharged and there is not currently any drainage mitigation so runoff to the stream will be limited. The existing treeline about 40' from the



# TOWN OF BURLINGTON

## *Conservation Commission Meeting Minutes*

---

riverbank will remain untouched and a post and rail fence will be implemented during construction. The applicant has requested 7 trees be removed from the yard.

Mr. Moffatt asked for more details on the trees that are requested to be removed from the yard and Mr. Keeley explained that several of the trees were large pines which tend to be less durable and more likely to fall and cause damage. Mr. Dresser stated that a potential grade change in the yard could be detrimental to a couple of the maples in the yard which could damage them in the future. The engineer and applicant stated that they could move the groundwater infiltration system away from the maple trees so they would not be disturbed by grading. Mr. Hickox responded to concerns about the removal of trees by stating he tends to add trees to properties to replace removed trees. The Commission insisted that any and all replacement trees be native species.

There was no one online nor in the audience that had questions or comments about the project.

**MOTION-** To continue the hearing until the 10/26 meeting of the Commission. The Motion was passed unanimously by a vote of 5-0-0.

### **8. Administration**

a. Planning Board comments included a minor engineering change for the project at 80 Blanchard Road.

b. Subcommittee & staff reports and updates: Wetland Bylaw changes that were approved at Town Meeting have been submitted to the state Attorney General's office. Mr. Keeley gave an update on FEMA floodplain maps and potential future changes to zoning bylaws in Burlington.

c. Other business included an update on the beaver dam situation at Saw Mill Brook and that there have been no further issues with flooding at Susan Avenue and Dolores Drive.

d. Upcoming meetings: October 26, 2023 | November 9, 2023

### **9. Adjourn**

**MOTION-** To adjourn the meeting. The Motion was passed unanimously by a vote of 5-0-0.

*Respectfully submitted by Tom Prior, Recording Clerk*